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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee*

Rapporteur: Mr. Pedro **Cardoso** (Brazil)

I. Introduction

1. The general discussion under this item and the previous recommendation made by the Third Committee to the General Assembly under the item appear in the report of the Third Committee to the General Assembly contained in document A/60/509/Add.2 (Part I).

2. For the documents before the Committee under this item, see document A/60/509.

II. Consideration of proposals

A. Draft resolution A/C.3/60/L.29

3. At the 40th meeting, on 15 November, the representative of Yemen, on behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference, introduced a draft resolution entitled "Combating defamation of religions" (A/C.3/60/L.29).

4. At its 45th meeting, on 21 November, the Committee was advised that the draft resolution had no programme budget implications.

* The report of the Committee on this item will be issued in seven parts, under the symbol A/60/509 and Add.1, Add.2 (Parts I and II) and Add.3-5.

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5. Also at its 45th meeting, the Committee adopted draft resolution A/C.3/60/L.29 by a recorded vote of 88 to 52, with 23 abstentions (see para. 102, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Brazil, Brunei Darussalam, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Grenada, Guinea, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Morocco, Myanmar, Nicaragua, Niger, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, South Africa, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Angola, Armenia, Botswana, Burkina Faso, Burundi, Cape Verde, Dominican Republic, Equatorial Guinea, Guinea-Bissau, India, Kenya, Lesotho, Madagascar, Malawi, Mozambique, Namibia, Nepal, Nigeria, Panama, Republic of Korea, Sierra Leone, Sri Lanka, United Republic of Tanzania.

6. Statements in explanation of vote were made before the vote by the representatives of India and the United States of America; statements in explanation of the vote were made after the vote by the representatives of Canada, Costa Rica, Chile, Guatemala and Singapore (see A/C.3/60/SR.45).

B. Draft resolution A/C.3/60/L.30

7. At the 35th meeting, on 8 November, the representative of Cameroon, on behalf of Algeria, Angola, Burundi, Cameroon, Cape Verde, the Central African Republic, Chad, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Equatorial Guinea, Gabon, Morocco, Nigeria, Rwanda, Sao Tome and Principe, South Africa and Tunisia, introduced a draft resolution entitled "Subregional Centre for Human Rights and Democracy in Central Africa" (A/C.3/60/L.30).

Subsequently, Belgium, Burkina Faso, Ethiopia, France, the Gambia, Germany, Ghana, India, Italy, Kenya, Lesotho, Mali, Qatar, Sierra Leone, Togo, the United Republic of Tanzania and the United States of America joined in sponsoring the draft resolution.

8. At the 39th meeting, on 10 November, the Secretary of the Committee read out a statement of the programme budget implications of the draft resolution (see A/C.3/60/SR.39).

9. At the same meeting, the Committee adopted draft resolution A/C.3/60/L.30 without a vote (see para. 102, draft resolution II).

C. Draft resolution A/C.3/60/L.31

10. At the 40th meeting, on 15 November, the representative of Egypt, on behalf of Afghanistan, Algeria, Bangladesh, Barbados, Cuba, Djibouti, Egypt, Eritrea, Guinea, the Islamic Republic of Iran, Kenya, the Libyan Arab Jamahiriya, Malaysia, Morocco, Nicaragua, Pakistan, the Philippines, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Uganda, the United Arab Emirates, Viet Nam, Yemen and Zimbabwe, introduced a draft resolution entitled "Globalization and its impact on the full enjoyment of all human rights" (A/C.3/60/L.31). Subsequently, Angola, Azerbaijan, Benin, Botswana, Burkina Faso, Cameroon, the Central African Republic, China, Comoros, the Congo, Côte d'Ivoire, the Democratic People's Republic of Korea, Ethiopia, Ghana, Indonesia, Lesotho, Madagascar, Mali, Myanmar, Namibia, Nigeria, Saint Vincent and the Grenadines, Sierra Leone, South Africa, the United Republic of Tanzania, Uzbekistan and Zambia joined in sponsoring the draft resolution.

11. At its 47th meeting, on 23 November, the Committee was advised that the draft resolution had no programme budget implications.

12. At the same meeting, the representative of Egypt orally revised the text of the draft resolution as follows:

(a) In the eleventh preambular paragraph, the word "*Welcoming*" was replaced by the word "*Reaffirming*";

(b) The fifteenth preambular paragraph, which read:

"*Underlining* the urgency of mainstreaming and addressing migration in the context of globalization"

was replaced by:

"*Emphasizing* the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy"

(c) Two new preambular paragraphs were inserted after the seventeenth preambular paragraph as follows:

"*Emphasizing* that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights, its immediate alleviation and

eventual elimination must remain a high priority for the international community

"*Strongly reiterating* the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit that are described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication".

13. Also at its 47th meeting, the Committee adopted draft resolution A/C.3/60/L.31, as orally revised, by a recorded vote of 117 to 51, with 4 abstentions (see para. 102, draft resolution III). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Brazil, Chile, Iraq, Singapore.

14. A statement in explanation of vote was made before the vote by the representative of the Bolivarian Republic of Venezuela; a statement in explanation of vote was made after the vote by the representative of the United Kingdom of

Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Union) (see A/C.3/60/SR.47).

D. Draft resolution A/C.3/60/L.32

15. At the 37th meeting, on 9 November, the representative of Qatar, on behalf of Afghanistan, Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Bolivia, Cuba, the Democratic People's Republic of Korea, Djibouti, Eritrea, Ethiopia, the Gambia, Iraq, Jordan, Kenya, Kuwait, the Libyan Arab Jamahiriya, Maldives, Mali, Mauritania, Morocco, Myanmar, Nicaragua, Niger, Nigeria, Oman, Pakistan, the Philippines, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, the Sudan, Togo, Tunisia, the United Arab Emirates and Yemen, introduced a draft resolution entitled "Establishment of a United Nations human rights training and documentation centre for South-West Asia and the Arab region" (A/C.3/60/L.32). Subsequently, Albania, Armenia, Australia, Austria, Belgium, Brazil, Burkina Faso, Cape Verde, the Central African Republic, the Comoros, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, the Dominican Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malaysia, Malta, the Netherlands, Panama, Paraguay, Peru, Portugal, Poland, the Republic of Moldova, Romania, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined in sponsoring the draft resolution.

16. At the 46th meeting, on 22 November, the Secretary read out a statement of the financial implications of the draft resolution (see A/C.3/60/SR.46).

17. Also at the same meeting, the representative of Qatar orally revised the text of the draft resolution as follows:

(a) In the sixth preambular paragraph, after the word "*Reaffirming*", the words "its endorsement of the Vienna Declaration and Programme of Action of 1993" were inserted;

(b) In the seventh preambular paragraph, after the words "universal human rights", the word "standards" was deleted;

(c) In operative paragraph 2, after the words "according to international", the words "human rights" were inserted.

18. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/60/L.32, as orally revised, without a vote (see para. 102, draft resolution IV).

E. Draft resolution A/C.3/60/L.33 and Rev.1

19. At the 35th meeting, on 8 November, the representative of India, on behalf of Australia, the Congo, Fiji, France, Ghana, Haiti, India, Indonesia, Ireland, Madagascar, Mauritius, Norway, Panama, the Republic of Korea, the Republic of Moldova, Romania, Senegal, Sri Lanka, Switzerland and Tunisia, introduced a draft resolution entitled "National institutions for the promotion and protection of human rights" (A/C.3/60/L.33). Subsequently, Afghanistan, Bangladesh, Guinea, Mexico,

Nepal, Timor-Leste and Turkey joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* its resolutions and those of the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

"*Welcoming* the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

"*Convinced* of the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

"*Recognizing* that the United Nations has played an important role and should continue to play a more important role in assisting the development of national institutions,

"*Recalling* the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

"*Recalling also* the Beijing Platform for Action, in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

"*Noting* the diverse approaches adopted throughout the world for the promotion and protection of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches in promoting universal respect for and observance of human rights and fundamental freedoms,

"*Recalling* the programme of action adopted by national institutions, at their meeting in Vienna in June 1993 during the World Conference on Human Rights, for the promotion and protection of human rights, wherein it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

"*Noting* the valuable role played and contributions made by national institutions in United Nations meetings dealing with human rights and the importance of their continued appropriate participation,

"*Welcoming* the strengthening in all regions of regional cooperation among national human rights institutions and between national human rights institutions and other regional human rights forums,

"*Noting with appreciation* the existence of the regional human rights networks in Europe and Africa, the continuing work of the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia Pacific Forum of National Human Rights Institutions and the Coordinating Committee of African National Human Rights Institutions,

"*Welcoming* the strengthening of international cooperation among national human rights institutions, including through the International Coordinating Committee of National Institutions,

"1. *Welcomes* the report of the Secretary-General;

"2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in keeping with the principles relating to the status of national institutions for the promotion and protection of human rights ('the Paris Principles'), contained in the annex to resolution 48/134 of 20 December 1993;

"3. *Reiterates* the continued importance of the Paris Principles, recognizes the value of further strengthening their application, where appropriate, and encourages States, national institutions and other interested parties to consider ways to achieve this;

"4. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action, it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

"5. *Encourages* Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

"6. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

"7. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

"8. *Notes with satisfaction* the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

"9. *Reaffirms* the role of national institutions, where they exist, as appropriate agencies, inter alia, for the dissemination of human rights materials and other public information activities, including those of the United Nations;

"10. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and

strengthening of national human rights institutions as part of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights;

"11. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for that purpose;

"12. *Welcomes* the establishment of a national institutions website as an important vehicle for the delivery of information to national institutions as also the launch of a database of comparative analysis of procedures and methods of complaint-handling by national human rights institutions;

"13. *Notes with appreciation* the increasingly active and important role of the International Coordinating Committee of National Institutions, in close cooperation with the Office of the United Nations High Commissioner for Human Rights, in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

"14. *Also notes with appreciation* the holding of regular meetings of the International Coordinating Committee of National Institutions and the arrangements for the participation of national human rights institutions in the annual sessions of the Commission on Human Rights;

"15. *Requests* the Secretary-General to continue to provide the necessary assistance for holding meetings of the International Coordinating Committee of National Institutions during the sessions of the Commission on Human Rights, in cooperation with the Office of the United Nations High Commissioner for Human Rights;

"16. *Welcomes* the continuation of the practice of national institutions convening regional meetings in some regions, and its initiation in others, and encourages national institutions, in cooperation with the United Nations High Commissioner for Human Rights, to organize similar events with Governments and non-governmental organizations in their own regions;

"17. *Requests* the Secretary-General to continue to provide, including from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for holding international and regional meetings of national institutions;

"18. *Recognizes* the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for better promotion and protection of human rights;

"19. *Expresses its appreciation* to those Governments that have contributed additional resources for the purpose of the establishment and strengthening of national human rights institutions;

"20. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national institutions;

"21. *Encourages* all United Nations entities, funds and agencies to work in close cooperation with national institutions in the promotion and protection of human rights;

"22. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution."

20. At the 43rd meeting, on 18 November, the representative of India introduced a revised draft resolution (A/C.3/60/L.33/Rev.1) submitted by the sponsors of draft resolution A/C.3/60/L.33 and Argentina, Australia, Azerbaijan, Belgium, Bhutan, Cameroon, Canada, Chile, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guyana, Hungary, Italy, Japan, Lithuania, Mali, Malta, Mongolia, Myanmar, the Netherlands, New Zealand, Nigeria, Norway, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Senegal, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Venezuela (Bolivarian Republic of). Subsequently, Albania, Angola, Armenia, Austria, Belarus, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cape Verde, the Central African Republic, Costa Rica, Côte d'Ivoire, Eritrea, the Gambia, Georgia, Guatemala, Honduras, Israel, Malaysia, Morocco, Papua New Guinea, the Philippines and Sierra Leone joined in sponsoring the revised draft resolution.

21. At the same meeting, the Committee was advised that the revised draft resolution had no programme budget implications.

22. Also at its 43rd meeting, the Committee adopted draft resolution A/C.3/60/L.33/Rev.1, without a vote (see para. 102, draft resolution V).

F. Draft resolution A/C.3/60/L.34

23. At the 39th meeting, on 10 November, the representative of Malaysia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China, introduced a draft resolution entitled "Human rights and unilateral coercive measures" (A/C.3/60/L.34).

24. At its 45th meeting, on 21 November, the Committee was advised that the draft resolution had no programme budget implications.

25. At the same meeting, the Committee adopted draft resolution A/C.3/60/L.34 by a recorded vote of 121 to 52 (see para. 102, draft resolution VI). The voting was as follows:

In favour:

Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of

Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

G. Draft resolution A/C.3/59/L.35

26. At the 39th meeting, on 10 November, the representative of Malaysia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China, introduced a draft resolution entitled "Enhancement of international cooperation in the field of human rights" (A/C.3/60/L.35).

27. At its 45th meeting, on 21 November, the Committee was advised that the draft resolution had no programme budget implications.

28. At the same meeting, the Committee adopted draft resolution A/C.3/60/L.35 without a vote (see para. 102, draft resolution VII).

H. Draft resolution A/C.3/60/L.36

29. At the 39th meeting, on 10 November, the representative of Malaysia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China, introduced a draft resolution entitled "The right to development" (A/C.3/60/L.36).

30. At the 47th meeting, on 23 November, the Secretary of the Committee read out a statement of the programme budget implications of the draft resolution (see A/C.3/60/SR.47).

31. At the same meeting, the representative of Malaysia orally revised the text of the draft resolution as follows:

(a) Two new preambular paragraphs were inserted after the first preambular paragraph, as follows:

"*Recalling* the Universal Declaration on Human Rights as well as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights

"*Recalling also* the outcomes of all the major United Nations conferences and summits in the economic and social fields";

(b) A new preambular paragraph was inserted after the fourth preambular paragraph as follows:

"*Reaffirming also* the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development";

(c) In the fifth and sixth preambular paragraphs, the word "*Welcoming*" was replaced by the word "*Recalling*";

(d) In operative paragraph 3, the words "at its next meeting, will examine" were replaced by the words "at its second meeting, examined" and the word "suggest" was replaced by the word "suggested";

(e) Operative paragraph 5, which read:

"*Notes with concern* that the Subcommission on the Promotion and Protection of Human Rights has not submitted the concept document establishing options and their feasibility for the implementation of the right to development, and requests the Subcommission, without further delay, to submit the concept document at the sixty-second session of the Commission on Human Rights"

was replaced by:

"*Notes with appreciation* that the Subcommission on the Promotion and Protection of Human Rights decided at its fifty-seventh session to submit the concept document establishing options and their feasibility for the implementation of the right to development to the Commission on Human Rights at its sixty-second session, calls in this regard upon the Commission to give due consideration to the options contained therein, and requests the Secretary-General to report on progress in this regard to the General Assembly at its sixty-first session";

(f) Operative paragraph 6, which read:

"*Takes note* of the convening and outcome of the second Social Forum held at Geneva on 22 and 23 July 2004 on the theme 'Poverty, rural poverty and human rights' and the strong support extended to it by the Subcommission on the Promotion and Protection of Human Rights, and invites all

stakeholders, including Member States, to participate actively in its subsequent sessions"

was replaced by:

"*Takes note* of the convening and outcome of the third Social Forum held at Geneva on 21 and 22 July 2005 on the theme 'Poverty and economic growth: challenges to human rights' and the strong support extended to it by the Subcommission on the Promotion and Protection of Human Rights, and invites Member States and all other stakeholders to participate actively in its subsequent sessions";

(g) In operative paragraph 9, the word "basic" was replaced by the word "primary";

(h) Operative paragraph 10, which read:

"*Reaffirms* that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and their commitment to cooperating with each other to that end"

was replaced by:

"*Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development as well as their commitment to cooperate with each other to that end";

(i) In operative paragraph 26, after the word "concrete", the words "and effective" were inserted, the words "fight against" were replaced by the words "prevent, combat and criminalize", the words "national and international" were replaced by the word "all", and after the words "international cooperation in asset recovery," the words "consistent with the principles of the United Nations Convention against Corruption, particularly chapter V," were inserted.

32. Also at its 47th meeting, the Committee adopted draft resolution A/C.3/60/L.36, as orally revised, by a recorded vote of 172 to 2, with 5 abstentions (see para. 102, draft resolution VIII). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania,

Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Marshall Islands, United States of America.

Abstaining:

Australia, Canada, Israel, Japan, Sweden.

33. Statements in explanation of vote were made after the vote by the representatives of Canada and Japan (see A/C.3/60/SR.47).

I. Draft resolution A/C.3/60/L.37 and Rev.1

34. At the 39th meeting, on 10 November, the representative of Mexico, on behalf of Argentina, Austria, Belgium, Brazil, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Ecuador, Finland, France, Germany, Guatemala, Ireland, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, Norway, Panama, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Protection of human rights and fundamental freedoms while countering terrorism" (A/C.3/60/L.37). Subsequently, Albania, Bulgaria, Denmark, the Dominican Republic, Estonia, Georgia, Greece, Guinea, Hungary, Jordan, Kenya, Latvia, Madagascar, Nigeria, the Republic of Moldova, Romania, The former Yugoslav Republic of Macedonia, Timor-Leste and Ukraine joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Reaffirming* the purposes and principles of the Charter of the United Nations,

"*Reaffirming also* the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

"*Recalling* that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

"*Acknowledging* the important contribution of measures at all levels against terrorism, consistent with international law, in particular international

human rights law and refugee and humanitarian law, for the functioning of democratic institutions, the maintenance of peace and security and thereby to the full enjoyment of human rights, as well as the need to continue this fight, including through international cooperation and the strengthening of the role of the United Nations in this respect,

"*Deeply deploring* the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as of the violations of international refugee law and international humanitarian law,

"*Recognizing* that the respect for human rights, the respect for democracy and the respect for the rule of law are interrelated and mutually reinforcing,

"*Recognizing also* that all States must fully respect the non-refoulement obligations under international refugee and human rights law, while at the same time bearing in mind relevant exclusion provisions under international refugee law,

"*Welcoming* the various initiatives to strengthen the promotion and protection of human rights in the context of counter-terrorism adopted by the United Nations and regional intergovernmental bodies, as well as by States,

"*Noting* the declarations, statements and recommendations of a number of human rights treaty monitoring bodies and special procedures on the question of the compatibility of counter-terrorism measures with human rights obligations,

"*Recalling* its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003 and 59/191 of 20 December 2004 as well as Commission on Human Rights resolutions 2003/68 of 25 April 2003, 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005 and other relevant resolutions of the General Assembly and the Commission on Human Rights,

"*Recalling also* its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

"*Reaffirming* that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

"*Noting* the declaration on the issue of combating terrorism contained in the annex to Security Council resolution 1456 (2003) of 20 January 2003, in particular the statement that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

"*Reaffirming its unequivocal condemnation* of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and

unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

"*Stressing* that everyone is entitled to all the rights and freedoms recognized in the Universal Declaration of Human Rights without distinction of any kind, including on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

"1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

"2. *Deplores* the suffering caused by terrorism to the victims and their families, and expresses its profound solidarity with them;

"3. *Reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights, to respect certain rights as non-derogable in any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, and underlines the exceptional and temporary nature of any such derogations;

"4. *Calls upon* States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

"5. *Urges* States to fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law;

"6. *Reaffirms* that it is imperative that all States work to uphold and protect the dignity of individuals and their fundamental freedoms, as well as democratic practices and the rule of law, while countering terrorism, as stated in the report of the Secretary-General submitted pursuant to General Assembly resolution 58/187;

"7. *Takes note with appreciation* of the study of the United Nations High Commissioner for Human Rights submitted pursuant to resolution 58/187;

"8. *Encourages* States to make available to relevant national authorities the 'Digest of Jurisprudence of the United Nations and Regional Organizations on the Protection of Human Rights while Countering Terrorism' and to take into account its content, and requests the High Commissioner to update and publish it periodically;

"9. *Welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to strengthen the links and to continue to develop cooperation with

relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur of the Commission on Human Rights on the promotion and protection of human rights and fundamental freedoms while countering terrorism, giving due regard to the promotion and protection of human rights in the ongoing work pursuant to relevant Security Council resolutions relating to terrorism;

"10. *Requests* all relevant special procedures and mechanisms of the Commission on Human Rights, as well as the United Nations human rights treaty bodies, to cooperate, within their mandates, with the Special Rapporteur, and encourages the Special Rapporteur to coordinate their efforts where appropriate, in order to promote a consistent approach on this subject;

"11. *Encourages* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to consider the recommendations of the special procedures and mechanisms of the Commission on Human Rights and the relevant comments and views of United Nations human rights treaty bodies;

"12. *Takes note with appreciation* of the report of the independent expert on the protection of human rights and fundamental freedoms while countering terrorism;

"13. *Welcomes* the report of the Secretary-General submitted pursuant to General Assembly resolution 59/191;

"14. *Welcomes* the establishment by the Commission on Human Rights on its resolution 2005/80 of the mandate of a Special Rapporteur;

"15. *Further welcomes* the report of the Special Rapporteur submitted pursuant to Commission on Human Rights resolution 2005/80, and requests the Special Rapporteur to report regularly to the General Assembly and to the Commission on Human Rights;

"16. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to the Special Rapporteur's urgent appeals and providing the information requested;

"17. *Requests* the High Commissioner, making use of existing mechanisms, to continue:

"(a) To examine the question of the protection of human rights and fundamental freedoms while countering terrorism, taking into account reliable information from all sources;

"(b) To make general recommendations concerning the obligation of States to promote and protect human rights and fundamental freedoms while taking actions to counter terrorism;

"(c) To provide assistance and advice to States, upon their request, on the protection of human rights and fundamental freedoms while countering terrorism, as well as to relevant United Nations bodies;

"18. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Commission on Human Rights

at its sixty-second session and to the General Assembly at its sixty-first session."

35. At the 46th meeting, on 22 November, the representative of Mexico introduced a revised draft resolution (A/C.3/60/L.37/Rev.1), submitted by the sponsors of draft resolution A/C.3/60/L.37 and Armenia, Canada, Costa Rica, Croatia, Ecuador, Egypt, Finland, France, Guatemala, Italy, Japan, Liechtenstein, Lithuania, Malta, Monaco, Paraguay, Peru, Poland, Portugal, Serbia and Montenegro, Switzerland, the United States of America and Uruguay. Subsequently, Angola, Bolivia, El Salvador, Iceland and New Zealand joined in sponsoring the revised draft resolution.

36. At the same meeting, the representative of Mexico orally revised the draft resolution as follows:

(a) In operative paragraph 11, the words "the elements of a" were replaced by the words "as agreed at the United Nations 2005 World Summit, a strategy to promote", the words "strategy, as agreed at the 2005 World Summit", were replaced by the word "responses", and the word "international" was inserted before the words "refugee law";

(b) In operative paragraph 15, the word "*Welcomes*" was replaced by the words "*Takes note with interest of*";

(c) In operative paragraph 16, the words "*Also welcomes*" were replaced by the words "*Takes note with appreciation* of", and the words "takes note of" before the words "the four features" were deleted.

37. Also at the same meeting, the Committee was advised that the draft resolution had no programme budget implications.

38. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/60/L.37/Rev.1, as orally revised, without a vote (see para. 102, draft resolution IX).

J. Draft resolution A/C.3/60/L.38

39. At the 37th meeting, on 9 November, the representative of Austria, on behalf of Andorra, Argentina, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, Norway, Panama, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Human rights in the administration of justice" (A/C.3/60/L.38). Subsequently, Albania, Armenia, Australia, Belarus, the Dominican Republic, Iceland, Israel, Jordan, Mali, Nigeria, Paraguay, Peru, the Philippines, the Republic of Moldova, San Marino, Suriname, Thailand, Turkey and Uruguay joined in sponsoring the draft resolution.

40. At its 41st meeting, on 15 November, the Committee was advised that the draft resolution had no programme budget implications.

41. At the same meeting, the representative of Austria orally revised the draft resolution as follows:

(a) In operative paragraph 13, the word "welcomes" was replaced by the words "takes note with appreciation of";

(b) In operative paragraph 17, the word "proposed" was inserted before the words "Peacebuilding Commission" and the words "as proposed in the 2005 World Summit Outcome" were deleted.

42. Also at its 41st meeting, the Committee adopted draft resolution A/C.3/60/L.38, as orally revised, without a vote (see para. 102, draft resolution X).

K. Draft resolution A/C.3/60/L.39

43. At the 37th meeting, on 9 November, the representative of Austria, on behalf of Andorra, Argentina, Austria, Benin, Bolivia, Bosnia and Herzegovina, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Finland, Greece, Hungary, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Mexico, Monaco, the Netherlands, Norway, Panama, Poland, the Republic of Korea, Romania, Serbia and Montenegro, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities" (A/C.3/60/L.39). Subsequently, Albania, Armenia, Australia, Belarus, Brazil, China, the Dominican Republic, Eritrea, Ethiopia, Georgia, Guatemala, Iceland, Latvia, Peru, the Republic of Moldova, the Russian Federation, San Marino, Sweden, Thailand, Timor-Leste and Uruguay joined in sponsoring the draft resolution.

44. At the same meeting, the representative of Austria orally revised the draft resolution as follows:

(a) In operative paragraph 5, after the words "in the economic progress and development of their countries", the words "without discrimination" were inserted;

(b) In operative paragraph 16, the words "minority representatives and experts on minority issues, particularly from developing countries" were replaced by the words "representatives of non-governmental organizations and persons belonging to minorities, in particular those from developing countries".

45. At its 41st meeting, on 15 November, the Committee was advised that the draft resolution had no programme budget implications.

46. At the same meeting, the representative of Austria further orally revised the draft resolution as follows:

(a) In the ninth preambular paragraph, the word "*Welcoming*" was replaced by the words "*Noting with appreciation*";

(b) In operative paragraph 3, the words "in accordance with" were replaced by the words "as proclaimed in"; and the words "as contained in" were replaced by the words "draws attention to";

(c) Operative paragraph 15, which read:

"15. *Calls upon* the High Commissioner to provide all the support the independent expert on minority issues may need to fulfil her mandate"

was deleted.

47. Also at its 41st meeting, the Committee adopted draft resolution A/C.3/60/L.39, as orally revised, without a vote (see para. 102, draft resolution XI).

L. Draft resolution A/C.3/60/L.40

48. At the 35th meeting, on 8 November, the representative of Norway, on behalf of Albania, Argentina, Australia, Austria, Azerbaijan, Belgium, Bolivia, Brazil, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, the Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Peru, Poland, Portugal, the Republic of Korea, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms" (A/C.3/60/L.40). Subsequently, Andorra, Armenia, Bosnia and Herzegovina, Burkina Faso, the Congo, the Dominican Republic, Ecuador, Georgia, Guinea-Bissau, Kenya, Lesotho, Morocco, Palau, the Republic of Moldova, Senegal, Sierra Leone, Timor-Leste, Thailand, Turkey, Ukraine and Uruguay joined in sponsoring the draft resolution.

49. At the 39th meeting on 10 November, the Secretary of the Committee read out a statement of programme budget implications of the draft resolution (see A/C.3/60/SR.39).

50. At the same meeting, the representative of Norway orally revised the draft resolution as follows:

(a) The eighth preambular paragraph, which read:

"*Recognizing* the substantial role that human rights defenders can play in supporting peace and security, including as early warning mechanisms, by monitoring, reporting on and protecting human rights",

was replaced by:

"*Recognizing* the substantial role that human rights defenders can play in supporting peace through dialogue, openness, participation and justice, including by monitoring and reporting on human rights";

(b) In the fourteenth preambular paragraph, after the words "rests with the State", the words "and reaffirming that national legislation consistent with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms is the juridical framework within which human rights defenders conduct their activities" were inserted;

(c) In operative paragraph 9, the words "*Encourages* States to respond" were replaced by the words "*Calls upon* States to give serious consideration to responding"; and at the end of the paragraph the words "so as to enable her to fulfil her mandate even more effectively" were inserted;

(d) Operative paragraph 13, which read:

"13. *Requests* relevant United Nations bodies, offices, departments and specialized agencies, in particular at the country level, working in cooperation with States, to strengthen their commitment to promote and protect human rights and fundamental freedoms by taking steps to follow up the Declaration, give due consideration to the reports of the Special Representative and receive and act upon information from human rights defenders",

was replaced by:

"13. *Invites* relevant United Nations bodies, including at the country level, within their respective mandates and working in cooperation with States, to give due consideration to the Declaration and to the reports of the Special Representative, and in this context requests the Office of the United Nations High Commissioner for Human Rights to draw the attention of all relevant United Nations bodies, including at the country level, to the reports of the Special Representative".

51. Also at its 39th meeting, the Committee adopted draft resolution A/C.3/60/L.40, as orally revised, without a vote (see para. 102, draft resolution XII).

M. Draft resolution A/C.3/60/L.42/Rev.1

52. At its 42nd meeting, on 17 November, the Committee had before it draft resolution A/C.3/60/L.42/Rev.1, sponsored by Albania, Austria, Belgium, Canada, Chile, Croatia, Cyprus, the Czech Republic, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mongolia, the Netherlands, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Timor-Leste, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which read:

"*The General Assembly*,

"*Recalling* its resolutions 55/96 of 4 December 2000, 57/221 of 18 December 2002, 59/201 of 20 December 2004 and 59/242 of 22 December 2004, and bearing in mind Commission on Human Rights resolutions 1999/57 of 27 April 1999, 2000/47 of 25 April 2000, 2001/41 of 23 April 2001, 2002/46 of 23 April 2002, 2003/36 of 23 April 2003, 2004/30 of 19 April 2004, and 2005/68 of 22 April 2005 and the United Nations Convention against Corruption,

"*Reaffirming* that the promotion and protection of the full enjoyment of all human rights and fundamental freedoms for all are essential to advance development, peace and security,

"*Recognizing* the indissoluble link between human rights as enshrined in the Universal Declaration of Human Rights and in the international human rights instruments and the foundation of any democratic society,

"*Reaffirming* that the promotion and protection of human rights is a prerequisite for the existence of a democratic society,

"*Acknowledging* that democracy contributes to the realization of all human rights and that there is a close link between democracy and good governance on the one hand and economic development and poverty alleviation on the other,

"*Recognizing* that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

"*Recalling* that corruption often excludes the poor from access to basic government services,

"*Recognizing* the importance of a conducive environment, at both the national and the international levels, for the full enjoyment of all human rights and of the mutually reinforcing relationship between good governance and human rights,

"*Reaffirming* that good governance, as referred to in the United Nations Millennium Declaration, is among the indispensable factors for building and strengthening peaceful, prosperous and democratic societies,

"*Recognizing* that an independent and impartial judiciary and an independent legal profession are essential prerequisites for good governance and the protection of human rights,

"*Recognizing also* the crucial importance of the active involvement and contribution of civil society in ensuring that good governance practices benefit all people, including members of vulnerable and marginalized groups,

"*Reaffirming* the importance of effective national efforts to prevent and combat corruption, and emphasizing the link between such efforts and the promotion of human rights,

"*Recognizing* that effective and efficient international cooperation to prevent and combat corruption, consistent with the United Nations Convention against Corruption, also serves to promote and protect human rights,

"*Recalling* the outcomes of the 2004 seminar on good governance practices for the promotion of human rights, sponsored by the United Nations Development Programme and the Office of the United Nations High Commissioner for Human Rights, which highlighted, inter alia, the linkages between fighting corruption, respecting human rights and fostering good governance,

"*Recalling also* the Monterrey Consensus of the International Conference on Financing for Development, which underlined that fighting corruption at all levels was a priority, and the Plan of Implementation of the World Summit on Sustainable Development ('Johannesburg Plan of Implementation'),

"*Recalling further* the Declaration of Nuevo Leon adopted at the Special Summit of the Americas, held at Monterrey, Mexico, on 12 and 13 January 2004, in which the democratically elected Heads of State and Government of the Americas pledged to intensify efforts to combat corruption in the public

and private sector, as well as the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March 1996,

"*Recalling* the African Union Convention on Preventing and Combating Corruption, adopted by the Heads of State and Government of the African Union on 12 July 2003, in which States parties agreed to take significant legislative and other measures to combat corruption,

"*Recalling also* the Doha Declaration, adopted at the Second South Summit, held at Doha from 12 to 16 June 2005, in which Heads of State and Government of the States members of the Group of 77 and China resolved to take measures to combat corruption, nationally and internationally,

"*Recalling further* the initiatives taken by the Council of Europe against corruption in areas such as standard-setting, guiding principles, technical cooperation and monitoring, in particular the Criminal Law Convention on Corruption adopted by the Committee of Ministers of the Council of Europe on 27 January 1999, and the Civil Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 4 November 1999, as well as activities of the Organization for Security and Cooperation in Europe in this regard,

"*Welcoming* the initiatives taken by the Commonwealth Secretariat and the Group of Eight with regard to fighting corruption and improving transparency, including the initiative of the Group of Eight to support with bilateral technical assistance those countries committed to a partnership to increase transparency, good governance and the rule of law, and welcoming also the efforts of those Member States that have entered into 'Compacts to Promote Transparency and Combat Corruption' with the Group of Eight,

"*Reiterating its concern* about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and the values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law, in particular when an inadequate national and international response leads to impunity,

"1. *Condemns* corruption in all its forms as one of the primary obstacles to economic, social and democratic development and to the full enjoyment of human rights;

"2. *Recalls* that the interdependence between a functioning democracy, strong and accountable institutions and effective rule of law is essential for a legitimate and effective Government that is respectful of human rights;

"3. *Welcomes* the adoption of the United Nations Convention against Corruption, looks forward to its entry into force on 14 December 2005, and urges all States that have not done so to consider signing and ratifying the Convention;

"4. *Affirms* that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as corporations, civil society, non-governmental organizations and

community-based organizations, if their efforts to prevent and combat corruption are to be effective;

"5. *Welcomes* the efforts of Member States that have enacted laws and taken other positive measures in the fight against corruption in all its forms, including, inter alia, in accordance with the United Nations Convention against Corruption, and in this regard encourages Member States that have not yet done so to enact such laws and measures;

"6. *Encourages* all Governments to strengthen democracy through good governance as referred to in the United Nations Millennium Declaration and the United Nations Convention against Corruption and to prevent, combat and penalize corruption in all its forms by, inter alia:

"(a) Consistent with the United Nations Convention against Corruption, abiding by the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of transparency, accountability and rejection of corruption;

"(b) Promoting the independence and integrity of the judiciary and, by means of appropriate education, selection, support and allocation of resources, strengthening its capacity to render justice with fairness and efficiency, free from improper or corrupt outside influence;

"(c) Promoting and protecting freedom of expression, freedom of the media, and freedom to seek, receive and impart information in order, inter alia, to improve the transparency of public institutions and policymaking procedures and enhancing the accountability of public officials;

"(d) Taking legal, legislative, administrative and political measures against corruption, in the public and private sector, including by ensuring due process of law and guaranteeing the right to a fair trial and by implementing the anti-corruption measures specified in the United Nations Convention against Corruption;

"(e) Desisting from inducing, in any way, State entities, officials or institutions to undertake actions or carry out activities that violate human rights, the principles of the Universal Declaration of Human Rights and the related conventions and treaties;

"(f) Promoting the widest possible public access to information about the activities of national and local authorities, as well as ensuring access by all to administrative remedies, without discrimination;

"(g) Fostering high levels of competence, ethics and professionalism within the civil service and its cooperation with the public, inter alia, by providing appropriate training for members of the civil service;

"(h) Taking measures to counter corrupt practices in election processes and developing, nurturing and maintaining an electoral system that provides for the free and fair expression of the people's will through genuine and periodic election;

"7. *Also encourages* all Governments to strengthen their cooperation in the fight against corruption, consistent with the United Nations Convention against Corruption;

"8. *Invites* the relevant special procedures of the Commission on Human Rights, as appropriate, to incorporate into their reports the impact of corruption on the enjoyment of human rights."

53. At the same meeting, the representative of the United States of America withdrew draft resolution A/C.3/60/L.42/Rev.1 on behalf of the sponsors (see A/C.3/60/SR.42).

N. Draft resolution A/C.3/60/L.43

54. At the 40th meeting, on 15 November, the representative of the United States of America, on behalf of Afghanistan, Albania, Argentina, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Latvia, Luxembourg, Mexico, Monaco, the Netherlands, Nicaragua, Panama, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Serbia and Montenegro, Slovakia, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America, introduced a draft resolution entitled "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization". Subsequently, Andorra, Armenia, Australia, Azerbaijan, Bangladesh, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cambodia, Cape Verde, the Central African Republic, Costa Rica, Ecuador, Fiji, Finland, Georgia, Guatemala, Iceland, India, Indonesia, Iraq, Jordan, Kenya, Liechtenstein, Lithuania, Mali, Malta, the Marshall Islands, Micronesia (Federated States of), New Zealand, Nigeria, Norway, Palau, Peru, Saint Vincent and the Grenadines, San Marino, Somalia, Spain, Sri Lanka, Swaziland, Thailand, Timor-Leste, Turkey and Ukraine joined in sponsoring the draft resolution.

55. At its 47th meeting, on 23 November, the Committee was advised that the draft resolution had no programme budget implications.

56. At the same meeting, the representative of the United States of America orally revised the draft resolution by replacing the fifth preambular paragraph, which read:

"*Noting* with interest Commission on Human Rights resolution 2004/30 of 19 April 2004 on enhancing the role of regional, subregional and other organizations and arrangements in promoting and consolidating democracy"

by the following text:

"*Taking note* with interest of Commission on Human Rights resolutions 2004/30 of 19 April 2004 on enhancing the role of regional, subregional and other organizations and arrangements in promoting and consolidating democracy and 2005/32 on democracy and the rule of law".

57. Also at the same meeting, a statement was made by the representative of Cuba, in which a separate vote was requested on the revised fifth preambular paragraph (see A/C.3/60/SR.47).

58. The paragraph was retained by a recorded vote of 123 to none, with 35 abstentions. The voting was as follows:

In favour:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against:

None.

Abstaining:

Algeria, Angola, Bahrain, Belarus, Burkina Faso, Cameroon, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Gambia, Ghana, Iran (Islamic Republic of), Kazakhstan, Libyan Arab Jamahiriya, Malaysia, Namibia, Nepal, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sudan, Syrian Arab Republic, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

59. At its 47th meeting, the Committee adopted draft resolution A/C.3/60/L.43, as orally revised, by a recorded vote of 173 to none, with 3 abstentions (see para. 102, draft resolution XIII). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's

Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

None

Abstaining:

Democratic Republic of the Congo, Libyan Arab Jamahiriya, Myanmar.

O. Draft resolution A/C.3/60/L.44 and Rev.1 and amendments thereto contained in document A/C.3/60/L.73

60. At the 39th meeting, on 10 November, the representative of the Netherlands, on behalf of Argentina, Austria, Belgium, Benin, Bulgaria, Cameroon, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Jordan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), the Netherlands, New Zealand, Nigeria, Norway, Peru, Poland, Portugal, the Republic of Moldova, Romania, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Human rights mainstreaming in the United Nations system" (A/C.3/60/L.44). Subsequently, Angola, Bosnia and Herzegovina, the Congo, Georgia, Guatemala, Honduras, Lesotho, Madagascar, Panama and Ukraine joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Reaffirming* the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action,

"*Reaffirming* also the universality, indivisibility, interdependence and interrelatedness of all human rights,

"*Recognizing* that development, peace and security and human rights are interlinked and mutually reinforcing,

"*Considering* that the promotion and the protection of all human rights is one of the priorities of the international community,

"*Recalling* the commitment of the Millennium Declaration to spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development,

"*Recognizing* that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

"*Recalling* the mandate and responsibility of the United Nations High Commissioner for Human Rights, including the responsibility to coordinate the human rights promotion and protection activities throughout the United Nations system,

"*Recognizing* the essential importance of the United Nations system in promoting international human rights instruments and adhering to international humanitarian law and international human rights standards in all aspects of its peace and security activities,

"*Supporting* the strengthening of linkages between the normative work of the United Nations system and its operational activities,

"*Having resolved* to integrate the promotion and protection of human rights into national policies and to support the further mainstreaming of human rights throughout the United Nations system, as well as closer cooperation between the Office of the United Nations High Commissioner for Human Rights and all relevant United Nations bodies,

"1. *Welcomes* the:

"(a) Recent efforts of the Secretary-General and the United Nations High Commissioner for Human Rights to ensure that human rights are integrated throughout the work of the United Nations;

"(b) Support of the High-level Panel on Threats, Challenges and Change for these efforts;

"(c) Work done by the specialized agencies and United Nations funds and programmes, inter alia, the United Nations Development Programme and the United Nations Children's Fund, to integrate human rights into their programming processes;

"(d) United Nations agreement on a human rights-based approach to development cooperation of 2003;

"(e) Inter-agency plan elaborated by the High Commissioner, in cooperation with the United Nations Development Group and the Executive Committee for Humanitarian Affairs, to strengthen national protection systems

in accordance with the action 2 initiative of the reform programme of the Secretary-General,

"(f) Recognition in the reports of the United Nations Millennium Project that achieving the Millennium Development Goals requires a commitment to good governance, which includes upholding the rule of law and promoting human rights,

"(g) Integration of human rights components in the mandate of peacekeeping operations established by the Security Council,

"2. *Stresses* the importance of ongoing efforts aimed at mainstreaming the issue of human rights within the United Nations system;

"3. *Underlines* the need for wider knowledge within the entire United Nations system, including country teams, of human rights issues;

"4. *Encourages* the:

"(a) Security Council to strengthen the links and to continue to develop cooperation with the Office of the United Nations High Commissioner for Human Rights, inter alia, through reports of the High Commissioner to the Council and involvement of the High Commissioner in the implementation of all human rights provisions of Security Council resolutions;

"(b) United Nations specialized agencies, funds and programmes:

"(i) To mainstream human rights in all their policies, programmes and activities at all levels;

"(ii) To implement the United Nations common understanding on a human rights-based approach to development cooperation;

"(iii) To strengthen their cooperation with the Office of the High Commissioner;

"5. *Encourages* the United Nations High Commissioner for Human Rights:

"(a) To enhance her cooperation with all relevant United Nations bodies, including the General Assembly, the Economic and Social Council and the Security Council;

"(b) To intensify her efforts to integrate human rights into development, humanitarian and rule of law activities and to further develop and implement the action 2 initiative, inter alia, through enhancing cooperation with United Nations bodies, funds and programmes;

"(c) To also intensify her efforts to improve coordination and cooperation among United Nations agencies and programmes active in the field of the promotion and protection of human rights, in particular with respect to the implementation of the United Nations Millennium Declaration and the Millennium Development Goals, and to engage in a dialogue with concerned Governments for that purpose;

"6. *Calls upon* Member States:

"(a) To implement all universal human rights norms and to integrate the promotion and protection of human rights into national policies;

"(b) To further contribute actively towards mainstreaming of human rights at the national, regional and international level;

"(c) To consider urgently contributing to the joint initiative of the United Nations Development Group, the Executive Committee for Humanitarian Affairs and the Office of the United Nations High Commissioner for Human Rights on strengthening United Nations support for national human rights protection and promotion systems worldwide;

"7. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixty-first session."

61. At its 48th meeting, on 23 November, the Committee had before it a revised draft resolution (A/C.3/60/L.44/Rev.1) submitted by the sponsors of draft resolution A/C.3/60/L.44, which read:

"*The General Assembly*,

"*Reaffirming* the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action,

"*Reaffirming also* that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

"*Recognizing* that development, peace and security and human rights are interlinked and mutually reinforcing,

"*Considering* that the promotion and the protection of all human rights is one of the priorities of the international community,

"*Recalling* the commitment of the Millennium Declaration to spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development,

"*Recognizing* that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

"*Emphasizing* the need for the promotion and protection of all human rights to be guided by the principles of impartiality, objectivity and non-selectivity, in the spirit of constructive international dialogue and cooperation,

"*Recalling* its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

"*Supporting* the strengthening of linkages between the normative work of the United Nations system and its operational activities,

"*Having resolved* to integrate the promotion and protection of human rights into national policies and to support the further mainstreaming of human rights throughout the United Nations system, as well as closer cooperation between the Office of the United Nations High Commissioner for Human Rights and all relevant United Nations bodies,

"1. *Welcomes*:

"(a) Recent efforts of the Secretary-General and the United Nations High Commissioner for Human Rights to further mainstream human rights throughout the United Nations;

"(b) Work done by the specialized agencies and United Nations funds and programmes, inter alia, the United Nations Development Programme, the United Nations Children's Fund and the Food and Agriculture Organization of the United Nations, to integrate human rights into their programming processes;

"(c) The steps taken by the High Commissioner, in cooperation with the United Nations Development Group and the Executive Committee for Humanitarian Affairs, to strengthen, at the request of States, national protection systems, in accordance with the Action 2 initiative of the reform programme of the Secretary-General;

"(d) Integration of human rights aspects in United Nations missions, in particular peacekeeping missions established by the Security Council;

"2. *Stresses* the importance of ongoing efforts aimed at continuing to mainstream human rights within the United Nations system, and underlines the need for comprehensive information on all developments in this regard, with a view to ensuring an open and transparent process;

"3. *Underlines* the need for wider knowledge within the entire United Nations system, including country teams and peace missions, of human rights issues;

"4. *Encourages* the:

"(a) Security Council to continue to develop cooperation with the Office of the United Nations High Commissioner for Human Rights;

"(b) Economic and Social Council to continue to integrate the promotion and protection of human rights in all areas of its work;

"(c) United Nations specialized agencies, funds and programmes:

"(i) To continue to mainstream human rights in all their policies, programmes and activities at all levels;

"(ii) To pursue their activities in promoting a human rights-based approach to development;

"(iii) To strengthen their cooperation with the Office of the High Commissioner;

"(d) International financial and multilateral trading systems to continue to mainstream human rights in their policies and objectives;

"5. *Encourages* the United Nations High Commissioner for Human Rights:

"(a) To enhance her cooperation with all relevant United Nations bodies, including the General Assembly, the Economic and Social Council and the Security Council;

"(b) To intensify her efforts to integrate human rights throughout the United Nations system, inter alia, through enhanced cooperation with United Nations bodies, funds and programmes and, at the request of States, the implementation of the Action 2 initiative;

"(c) To continue her efforts to improve coordination and cooperation in the field of human rights, in particular with respect to the implementation of the Millennium Declaration and the Millennium Development Goals, and to seek cooperation by concerned Governments as well as United Nations agencies, funds and programmes for that purpose;

"6. *Calls upon* Member States:

"(a) To integrate the promotion and protection of human rights into national policies;

"(b) To further contribute actively towards mainstreaming of human rights within the United Nations system;

"(c) To consider urgently contributing to the joint initiative of the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Group and the Executive Committee for Humanitarian Affairs on strengthening United Nations support, at the request of States, for national human rights protection and promotion systems;

"7. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixty-first session."

62. At the same meeting, the Committee also had before it amendments to draft resolution A/C.3/60/L.44/Rev.1, submitted by South Africa (A/C.3/60/L.73), by which:

(a) The title of the draft resolution would be revised to read: "Right to development and human rights mainstreaming in the United Nations system";

(b) The first preambular paragraph would be deleted;

(c) In the fourth preambular paragraph, after the words "all human rights", the phrase "including the realization of the right to development, are the legitimate concern and priority for the international community," would be inserted and the words "is one of the priorities of the international community" would be deleted;

(d) The sixth preambular paragraph would be deleted;

(e) In the seventh preambular paragraph, after the words "all human rights", the words "including the realization of the right to development" would be inserted;

(f) At the end of the eighth preambular paragraph, the words "and to promote and protect the realization of the right to development and to enhance

support from relevant bodies of the United Nations system for this purpose" would be inserted;

(g) The ninth preambular paragraph would be deleted;

(h) The tenth preambular paragraph would be deleted or, if the paragraph could not be deleted, the following preambular paragraph would be incorporated into the text:

"*Reaffirming* the request to the High Commissioner for Human Rights, in mainstreaming the right to development, to effectively undertake activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions and to reflect those activities in detail in her report to the Commission on Human Rights at its sixty-second session";

(i) After subparagraph 1 (c), the following subparagraphs would be added:

"(d) Important work undertaken by the Commission on Human Rights, through its Working Group on the Right to Development, with respect to the operationalization of the right to development and its mainstreaming in the United Nations system;

"(e) Recent establishment of the High Commissioner for Human Rights' High-Level Task Force on the Operationalization of the Right to Development and the participation in this process by the United Nations specialized agencies, programmes and funds, international financial institutions and the multilateral trading system;

"(f) Growing realization and awareness within the United Nations system that the full enjoyment of all human rights and the realization of the right to development can be practically enjoyed through effective partnerships in the fields of human rights, development and financing at the national, regional and international levels";

(j) In operative paragraph 2, after the words "mainstream human rights", the phrase "and the right to development" would be inserted;

(k) Operative subparagraphs 4 (a) and (b) would be deleted;

(l) In operative paragraph 4 (c) (i), after the words "mainstream human rights", the phrase "and the right to development" would be inserted;

(m) Operative subparagraph 4 (d) would be replaced by the following:

"(d) International financial and multilateral trading system to continue to mainstream the right to development in their policies and operational activities";

(n) Operative subparagraph 5 (b) would be deleted;

(o) In operative subparagraph 6 (b), the words "and the right to development" would be inserted after the words "mainstreaming of human rights".

63. Also at its 48th meeting, the Committee was informed that the draft resolution had no programme budget implications.

64. At the same meeting, the representative of Belgium withdrew draft resolutions A/C.3/60/L.44 and Rev.1 (see A/C.3/60/SR.48).

P. Draft resolution A/C.3/60/L.49

65. At the 40th meeting, on 15 November, the representative of Cuba, on behalf of Algeria, Angola, Belarus, Botswana, Burundi, China, the Congo, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, El Salvador, Eritrea, Ethiopia, the Gambia, Indonesia, Iran (Islamic Republic of), the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Myanmar, Nigeria, the Russian Federation, Rwanda, Sierra Leone, the Sudan, the Syrian Arab Republic, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe, introduced a draft resolution entitled "Promotion of peace as a vital requirement for the full enjoyment of all human rights by all" (A/C.3/60/L.49). Subsequently, Bangladesh, Cambodia, Cameroon, Côte d'Ivoire, Guinea, Kenya, Madagascar, Tunisia, Turkmenistan and Uzbekistan joined in sponsoring the draft resolution.

66. At its 45th meeting, on 21 November, the Committee was advised that the draft resolution had no programme budget implications.

67. At the same meeting, the representative of Cuba orally revised operative paragraph 7 of the draft resolution by deleting the words "and encourages States to settle their disputes as early as possible".

68. Also at its 45th meeting, the Committee adopted draft resolution A/C.3/60/L.49, as orally revised, by a recorded vote of 113 to 51, with 8 abstentions (see para. 102, draft resolution XIV). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia,

Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Armenia, Chile, Equatorial Guinea, India, Mexico, Samoa, Singapore.

69. Before the vote, statements in explanation of vote were made by the representatives of the United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Union) and the United States of America (see A/C.3/60/SR.45).

Q. Draft resolution A/C.3/60/L.50

70. At the 40th meeting, on 15 November, the representative of Cuba, on behalf of Algeria, Angola, Belarus, Benin, Cameroon, China, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Ethiopia, Indonesia, Iran (Islamic Republic of), Kenya, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Malaysia, Myanmar, Namibia, the Russian Federation, the Sudan, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe, introduced a draft resolution entitled "Respect for the principles of national sovereignty and diversity of democratic systems in electoral processes as an important element for the promotion and protection of human rights" (A/C.3/60/L.50). Subsequently, Cambodia, the Central African Republic, Mauritania, Pakistan, Rwanda, the Syrian Arab Republic, Turkmenistan, Uzbekistan and the United Republic of Tanzania joined in sponsoring the draft resolution.

71. At its 45th meeting, on 21 November, the Committee was advised that the draft resolution had no programme budget implications.

72. Also at its 45th meeting, the Committee adopted draft resolution A/C.3/60/L.50 by a recorded vote of 106 to 4, with 61 abstentions (see para. 102, draft resolution XV). The voting was as follows:

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian

Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Israel, Marshall Islands, United States of America.

Abstaining:

Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Equatorial Guinea, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, India, Iraq, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

R. Draft resolution A/C.3/60/L.52 and Rev.1

73. At the 40th meeting, on 15 November, the representative of Cuba, on behalf of Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia, Brazil, Burundi, Cape Verde, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, the Democratic Republic of the Congo, Dominica, Djibouti, Ecuador, El Salvador, Eritrea, Ethiopia, the Gambia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Indonesia, Islamic Republic of Iran, Jamaica, Kenya, the Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, the Libyan Arab Jamahiriya, Mali, Mauritius, Mexico, Myanmar, Namibia, Nicaragua, Niger, Nigeria, Panama, Paraguay, Peru, Portugal, the Russian Federation, Rwanda, Saint Vincent and the Grenadines, Saint Lucia, Saudi Arabia, Senegal, Somalia, South Africa, Spain, the Sudan, the Syrian Arab Republic, Turkmenistan, Bolivarian Republic of Venezuela, Viet Nam and Zimbabwe, introduced a draft resolution entitled "The right to food" (A/C.3/60/L.52). Subsequently, Austria, Bhutan, Cameroon, the Central African Republic, the Democratic People's Republic of Korea, the Dominican Republic, Fiji, Ghana, Ireland, Japan, Jordan, Lithuania, Madagascar, Malawi, Nepal, the Philippines, San Marino, Sierra Leone, Slovenia, Sri Lanka, Switzerland, Togo, Tunisia, Turkey and Zambia joined in sponsoring the draft resolution. The draft resolution, which read:

"*The General Assembly*,

"*Recalling* its resolution 59/202 of 20 December 2004, as well as all Commission on Human Rights resolutions in this regard, in particular resolution 2005/18 of 14 April 2005,

"*Recalling also* the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or

his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration,

"*Recalling further* the provisions of the International Covenant on Economic, Social and Cultural Rights, in which the fundamental right of every person to be free from hunger is recognized,

"*Bearing in mind* the Rome Declaration on World Food Security and the World Food Summit Plan of Action and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,

"*Welcoming* the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations,

"*Reaffirming* that all human rights are universal, indivisible, interdependent and interrelated,

"*Reaffirming also* that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

"*Reiterating*, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

"*Convinced* that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

"*Recognizing* that the problems of hunger and food insecurity have global dimensions and that they are likely to persist and even to increase dramatically in some regions unless urgent, determined and concerted action is taken, given the anticipated increase in the world's population and the stress on natural resources,

"*Expressing its deep concern* at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in a massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

"*Stressing* the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

"1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

"2. *Also reaffirms* the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain their physical and mental capacities;

"3. *Considers it intolerable* that there are about 852 million undernourished people in the world, that every five seconds a child under the age of 5 dies from hunger or hunger-related diseases somewhere in the world and that one person loses his/her eyesight every four minutes as a result of a lack of vitamin A, when, according to the Food and Agriculture Organization of the United Nations, the planet could produce enough food to provide 2,100 kilocalories per person per day to 12 billion people, twice the world's present population;

"4. *Expresses its concern* that women are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

"5. *Encourages* all States to take action to address discrimination against women, particularly where it contributes to the malnutrition of women and girls, including measures to ensure the realization of the right to food and ensuring that women have equal access to resources, including income, land and water, to enable them to feed themselves;

"6. *Encourages* the Special Rapporteur of the Commission on Human Rights on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate;

"7. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

"8. *Acknowledges* that at the annual sessions of the Working Group on Indigenous Populations of the Subcommission on the Promotion and the Protection of Human Rights and of the Permanent Forum on Indigenous Issues, many indigenous organizations and representatives of indigenous communities have expressed their deep concerns over the obstacles and challenges to their full enjoyment of the right to food, and that this situation needs to be addressed;

"9. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the

need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

"10. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

"11. *Expresses its appreciation* for the New York Declaration on Action against Hunger and Poverty, which has been supported by more than one hundred countries to date, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

"12. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, and invites once again all international financial and developmental institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security and the United Nations Millennium Declaration;

"13. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

"14. *Stresses* the importance of international development cooperation and assistance, in particular in emergency situations such as natural disasters, diseases and pests, for the realization of the right to food, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

"15. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa;

"16. *Urges* the international organizations, such as the World Bank, the International Monetary Fund and the World Trade Organization, to refrain from obliging member States, in particular developing countries, to adopt policies, structural adjustment programmes and rules on trade in agriculture and other areas that hinder and negatively impact the realization of the right to food;

"17. *Takes note* of the interim report of the Special Rapporteur of the Commission on Human Rights on the right to food, and commends the Special Rapporteur for his valuable work in the promotion of the right to food;

"18. *Supports* the realization of the mandate of the Special Rapporteur as extended by the Commission on Human Rights in its resolution 2003/25 of 22 April 2003;

"19. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

"20. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights), in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

"21. *Recalls* general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant), in which the Committee noted, inter alia, the importance of ensuring sustainable water resources for human consumption and agriculture in realization of the right to adequate food;

"22. *Welcomes* the adoption by the Council of the Food and Agriculture Organization of the United Nations, of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, which mark an important step in the progress towards the promotion, protection and implementation of human rights for all;

"23. *Also welcomes* the continued cooperation of the High Commissioner, the Committee on Economic, Social and Cultural Rights and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

"24. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries, to enable him to fulfil his mandate more effectively;

"25. *Requests* the Special Rapporteur to submit a comprehensive report to the Commission on Human Rights at its sixty-second session and an interim report to the General Assembly at its sixty-first session on the implementation of the present resolution;

"26. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

"27. *Decides* to continue the consideration of the question at its sixty-first session under the item entitled 'Human rights questions'."

74. At the same meeting, the representative of Cuba orally revised the draft resolution. The revisions were subsequently incorporated into a revised text (A/C.3/60/L.52/Rev.1).

75. At the 45th meeting, on 21 November, the Committee had before it the revised draft resolution (A/C.3/60/L.52/Rev.1), submitted by Algeria, Angola, Antigua and

Barbuda, Argentina, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Burundi, Cameroon, Cape Verde, the Central African Republic, Chile, China, the Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Dominica, the Dominican Republic, Djibouti, Ecuador, El Salvador, Eritrea, Ethiopia, Fiji, the Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Indonesia, Islamic Republic of Iran, Ireland, Jamaica, Japan, Jordan, Kenya, the Lao People's Democratic Republic, Lebanon, Lesotho, Lithuania, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritius, Mexico, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Panama, Paraguay, Peru, the Philippines, Portugal, the Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovenia, Somalia, South Africa, Spain, Sri Lanka, the Sudan, Switzerland, the Syrian Arab Republic, Togo, Tunisia, Turkey, Turkmenistan, Bolivarian Republic of Venezuela, Viet Nam, Zambia and Zimbabwe. Subsequently, Afghanistan, Andorra, Armenia, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cambodia, Colombia, the Comoros, Egypt, Finland, France, Honduras, India, Italy, Mauritania, Mozambique, Norway, Oman, Pakistan, Qatar, the Republic of Moldova, Romania, Seychelles, Suriname, Thailand, Timor-Leste, Trinidad and Tobago, Uganda, the United Republic of Tanzania and Uruguay joined in sponsoring the draft resolution.

76. At the same meeting, the Secretary read out a statement on the financial implications of the draft resolution (see A/C.3/60/SR.45).

77. Also at the same meeting, the representative of Cuba orally revised operative paragraph 8 of the draft resolution by replacing the word "pervasive" by the word "continuous".

78. At its 45th meeting, the Committee adopted draft resolution A/C.3/60/L.52/Rev.1, as orally revised, by a recorded vote of 171 to 1, with 1 abstention (see para. 10, draft resolution XVI). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway,

Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

Israel.

79. Before the vote, the representative of the United States of America made a statement in explanation of vote (see A/C.3/60/SR.45).

S. Draft resolution A/C.3/60/L.54 and amendments thereto contained in document A/C.3/60/L.70

80. At the 40th meeting, on 15 November, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf of Angola, Argentina, Austria, Belgium, Benin, Bulgaria, Canada, Chile, Colombia, the Congo, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Israel, Italy, Japan, Kenya, Latvia, Lithuania, Luxembourg, Malta, Mauritius, Monaco, the Netherlands, New Zealand, Nicaragua, Norway, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Saint Vincent and the Grenadines, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania, introduced a draft resolution entitled "Elimination of all forms of intolerance and of discrimination based on religion or belief" (A/C.3/60/L.54). Subsequently, Albania, Andorra, Armenia, Australia, Bolivia, Bosnia and Herzegovina, Brazil, Cape Verde, the Central African Republic, the Dominican Republic, Ecuador, Fiji, Iceland, Liechtenstein, Nigeria, Panama, Paraguay, San Marino, Sierra Leone, Thailand, Timor-Leste, Turkey, Ukraine, the United Republic of Tanzania, the United States of America and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

81. At its 43rd meeting, on 18 November, the Committee was advised that the draft resolution contained no programme budget implications.

82. At the same meeting, the Committee had before it amendments to draft resolution A/C.3/60/L.54, submitted by the delegation of Yemen in document A/C.3/60/L.70, by which:

(a) After operative paragraph 4, two new paragraphs would be added, reading:

"*Emphasizes* that States, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and freedom of religion and belief, and deplores the use of print, audio-visual and electronic media, including the Internet, and any other means to incite acts of violence, xenophobia or related intolerance and discrimination towards all religions;

"*Urges* States to take resolute action to prohibit the dissemination through institutions and organizations of racist and xenophobic ideas and material aimed at any belief and religion or their followers that constitute incitement to discrimination, intimidation and coercion".

(b) In operative paragraph 5, the words "and other" would be inserted after the words "many religious".

83. Also at the 43rd meeting, the representative of the United Kingdom revised the draft resolution as follows:

(a) A new preambular paragraph was added after the fifth preambular paragraph reading:

"*Acknowledging* that in order to be effective, such a dialogue should be based on respect for the dignity of adherents of religions and beliefs, as well as respect for diversity and the universal promotion and protection of human rights";

(b) In the eighteenth preambular paragraph, the word "respect" was inserted after the words "promoting tolerance";

(c) In operative paragraph 5, the words "and other" were inserted before the word "communities";

(d) After operative paragraph 6, a new paragraph 7 was inserted, reading:

"7. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audio-visual and electronic media or any other means";

(e) In operative paragraph 9 (a), the words "as well as incitement to hostility and violence" were inserted after the word "belief".

84. At the same meeting, the representative of Yemen withdrew document A/C.3/60/L.70 (see A/C.3/60/SR.43).

85. Also at the same meeting, the Committee adopted draft resolution A/C.3/60/L.54, as orally revised, without a vote (see para. 102, draft resolution XVII).

T. Draft resolution A/C.3/60/L.55

86. At the 40th meeting, on 15 November, the representative of the Islamic Republic of Iran, on behalf of Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Burkina Faso, China, the Congo, Cuba, Djibouti, Egypt, Eritrea, Ethiopia, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Myanmar, the Niger, Nigeria, Oman, Pakistan, Saudi Arabia, Senegal, Sri Lanka, the Sudan, the Syrian

Arab Republic, Thailand, Turkmenistan, the United Republic of Tanzania and Viet Nam, introduced a draft resolution entitled "Human rights and cultural diversity" (A/C.3/60/L.55). Subsequently, Afghanistan, Cambodia, the Central African Republic, the Comoros, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Guinea, India, Jordan, Kenya, Mali, Qatar, Sierra Leone, South Africa, Tunisia, Uzbekistan and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

87. At its 47th meeting, on 23 November, the Committee was advised that the draft resolution contained no programme budget implications.

88. At the same meeting, the representative of the Islamic Republic of Iran further orally revised the draft resolution as follows:

(a) In the second preambular paragraph, the words "and 58/167 of 22 December 2003" were inserted before the words "and recalling further";

(b) In operative paragraph 15, the words "give full and equal attention to" were replaced by the words "continue to bear in mind fully".

89. Also at its 47th meeting, the Committee adopted draft resolution A/C.3/60/L.55, as orally revised, without a vote (see para. 102, draft resolution XVIII).

U. Draft resolution A/C.3/60/L.56 and Rev.2 and amendments thereto contained in document A/C.3/60/L.71

90. At the 40th meeting, on 15 November, the representative of Norway, on behalf of Argentina, Australia, Austria, Belgium, Bolivia, Canada, Chile, Croatia, Cyprus, the Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, the Netherlands, Nigeria, Norway, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Protection of and assistance to internally displaced persons" (A/C.3/60/L.56). Subsequently, Angola, the Central African Republic, Colombia, Kenya, Latvia, the Republic of Moldova and Sierra Leone joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Deeply disturbed* by the alarmingly high numbers of internally displaced persons throughout the world, for reasons including armed conflict, violations of human rights and natural or human-made disasters, who receive inadequate protection and assistance, and conscious of the serious challenges that this is creating for the international community,

"*Recognizing* the significant number of persons who have become internally displaced owing to natural disasters over the course of the past twelve months,

"*Conscious* of the human rights and the humanitarian dimensions of the problem of internally displaced persons, including those who are in situations

of protracted displacement, and the responsibilities of States and the international community to strengthen further their protection and assistance,

"*Emphasizing* that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction as well as to address the root causes of the displacement problem in cooperation with the international community,

"*Noting* the growing awareness of the international community of the issue of internally displaced persons worldwide and the urgency of addressing the root causes of their displacement and finding durable solutions, including voluntary return in safety and with dignity, or local integration,

"*Recalling* the relevant norms of international human rights law, international humanitarian law and international refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific standards for their protection, in particular through the Guiding Principles on Internal Displacement,

"*Emphasizing* the central role of the Emergency Relief Coordinator for the inter-agency coordination of protection of and assistance to internally displaced persons, and welcoming the continued initiatives taken in order to ensure better protection, assistance and development strategies for internally displaced persons, as well as better coordination of activities regarding them,

"*Commending* the Representative of the Secretary-General on the human rights of internally displaced persons for the activities undertaken so far, for the catalytic role that he plays in raising the level of consciousness about the plight of internally displaced persons and his efforts to promote a comprehensive strategy that focuses on prevention as well as better protection and assistance and addressing the specific needs of internally displaced persons, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system,

"*Taking note* of Commission on Human Rights resolution 2005/46 of 19 April 2005 and recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, regarding the need to develop global strategies to address the problem of internal displacement,

"*Deploring* practices of forced displacement and their negative consequences for the enjoyment of human rights and fundamental freedoms by large groups of populations, and noting that the Rome Statute of the International Criminal Court defines the deportation or forcible transfer of population as a crime against humanity and the unlawful deportation or transfer of the civilian population, as well as ordering the displacement of the civilian population, as war crimes,

"*Welcoming* the increasing dissemination, promotion and application of the Guiding Principles on Internal Displacement when dealing with situations of internal displacement,

"*Welcoming* the cooperation established between the new Representative of the Secretary-General and the United Nations and other international and

regional organizations, in particular his participation in the work of the Inter-Agency Standing Committee and its subsidiary bodies, as well as the memorandum of understanding with the Inter-Agency Internal Displacement Division within the Office for the Coordination of Humanitarian Affairs of the Secretariat and the Global IDP Project of the Norwegian Refugee Council,

"*Taking note* of the efforts currently under way by the United Nations humanitarian system, in keeping with a collaborative approach, to strengthen its response capacity to meet the protection and assistance needs of internally displaced persons,

"*Acknowledging* with appreciation the important and independent contribution of the International Red Cross and Red Crescent Movement and other humanitarian agencies in protecting and assisting internally displaced persons, in cooperation with relevant international bodies,

"*Recalling* its resolution 58/177 of 22 December 2003,

"1. *Welcomes* the appointment of the new Representative of the Secretary-General on the human rights of internally displaced persons;

"2. *Welcomes also* the report of the Representative of the Secretary-General, and takes note of his conclusions and recommendations;

"3. *Expresses its appreciation* to those Governments and intergovernmental and non-governmental organizations that have provided protection and assistance to internally displaced persons and have supported the work of the Representative of the Secretary-General;

"4. *Encourages* the Representative of the Secretary-General, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, to continue his analysis of the causes of internal displacement, the needs and rights of those displaced, measures of prevention and ways to strengthen protection, assistance and solutions for internally displaced persons, taking into account specific situations, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

"5. *Expresses particular concern* at the grave problems faced by many internally displaced women and children, including violence and abuse, sexual exploitation, forced recruitment and abduction, and welcomes the commitment of the Representative of the Secretary-General to pay more systematic and in-depth attention to their particular assistance, protection and development needs, as well as to other groups with special needs, such as severely traumatized individuals, older persons and persons with disabilities, taking into account the relevant resolutions of the General Assembly and bearing in mind Security Council resolution 1325 (2000) of 31 October 2000;

"6. *Notes with appreciation* the increasing role of national human rights institutions in monitoring the situation of internally displaced persons and in assisting them, and in promoting and protecting their human rights;

"7. *Notes* the importance of taking the human rights and the specific protection and assistance needs of internally displaced persons into

consideration, when appropriate, in peace processes and reintegration and rehabilitation processes;

"8. *Recognizes* the Guiding Principles on Internal Displacement as an important international framework for the protection of internally displaced persons, welcomes the fact that an increasing number of States, United Nations agencies and regional and non-governmental organizations are applying them as a standard, and encourages all relevant actors to make use of the Guiding Principles when dealing with situations of internal displacement;

"9. *Welcomes* the fact that the Representative of the Secretary-General continues to use the Guiding Principles in his dialogue with Governments and intergovernmental and non-governmental organizations and other relevant actors, and requests him to continue his efforts to further the dissemination, promotion and application of the Guiding Principles and to encourage their incorporation into national legislation and policies;

"10. *Urges* all Governments to continue to facilitate the activities of the Representative of the Secretary-General, in particular Governments with situations of internal displacement, and to give serious consideration to inviting the Representative to visit their countries so as to enable him to advise Governments in addressing situations of internal displacement, and thanks those Governments that have already done so;

"11. *Invites* Governments to give serious consideration, in dialogue with the Representative of the Secretary-General, to the recommendations and suggestions addressed to them, in accordance with his mandate, and to inform him of measures taken thereon;

"12. *Calls upon* Governments to provide protection and assistance, including reintegration and development assistance, to internally displaced persons, and to facilitate the efforts of relevant United Nations agencies and humanitarian organizations in these respects, including by further improving access to internally displaced persons;

"13. *Emphasizes* the central role of the Emergency Relief Coordinator for the inter-agency coordination of protection of and assistance to internally displaced persons and notes with appreciation the work of the Inter-Agency Internal Displacement Division within the Office for the Coordination of Humanitarian Affairs of the Secretariat;

"14. *Also emphasizes* the need to strengthen further inter-agency arrangements and the capacities of the United Nations agencies and other relevant actors to meet the immense humanitarian challenges of internal displacement, and underlines in this regard the importance of an effective, accountable and predictable collaborative approach;

"15. *Encourages* all relevant United Nations agencies and humanitarian assistance, human rights and development organizations to enhance their collaboration and coordination, through the Inter-Agency Standing Committee and in countries with situations of internal displacement, and to provide all possible assistance and support to the Representative of the Secretary-General;

"16. *Notes with appreciation* the increased attention paid to the issue of internally displaced persons in the consolidated inter-agency appeals process, and encourages further efforts in this regard;

"17. *Also notes with appreciation* the establishment of the global database on internally displaced persons at the request of the Inter-Agency Standing Committee and the support it provides to the Emergency Relief Coordinator and the Representative of the Secretary-General on the human rights of internally displaced persons in carrying out their respective mandates, as well as to Governments and to the members of the Standing Committee, and encourages the members of the Standing Committee and Governments to continue to collaborate and support this effort, including by providing relevant data on situations of internal displacement and financial resources;

"18. *Welcomes* the initiatives undertaken by regional organizations, such as the African Union, the Organization of American States, the Organization for Security and Cooperation in Europe, the Intergovernmental Authority on Development, the Council of Europe, the Commonwealth and the Economic Community of West African States, to address the protection, assistance and development needs of internally displaced persons, and encourages them and other regional organizations to strengthen their activities and their cooperation with the Representative of the Secretary-General;

"19. *Requests* the Secretary-General to provide his Representative, from within existing resources, with all necessary assistance to carry out his mandate effectively, and encourages the Representative to continue to seek the contributions of States, relevant organizations and institutions in order to create a more stable basis for his work;

"20. *Requests* the Representative of the Secretary-General to prepare, for consideration by the General Assembly at its sixty-second session, a report on the implementation of the present resolution;

"21. *Decides* to continue its consideration of the question of protection of and assistance to internally displaced persons at its sixty-second session."

91. At its 46th meeting, on 22 November, the Committee had before it document A/C.3/60/L.71, containing amendments to the draft resolution, submitted by the delegation of Azerbaijan, by which, after the third preambular paragraph, a new preambular paragraph would be inserted, reading:

"*Expressing particular concern* that many internal displacement situations are being paid insufficient attention owing to their protracted nature, and recognizing the need to pay more systematic and in-depth attention to the assistance, protection and development needs of internally displaced persons in these situations by States and the international community".

92. At the same meeting, the Committee also had before it a revised draft resolution submitted by the sponsors of draft resolution A/C.3/60/L.56 and Alt .nia, Andorra, Armenia, Bosnia and Herzegovina, Costa Rica, Côte d'Ivoire, Cyprus, the Dominican Republic, Ecuador, El Salvador, Iceland, Luxembourg, Mali, Micronesia (Federated States of), Mozambique, Panama, the Republic of Korea, San Marino, Serbia and Montenegro, Spain, the former Yugoslav Republic of Macedonia, Thailand, Turkey and Ukraine (A/C.3/60/L.56/Rev.2). Subsequently, Brazil,

Bulgaria, the Congo, the Democratic Republic of the Congo, Peru, Timor-Leste and Togo joined in sponsoring the revised draft resolution.

93. Also at the 46th meeting, the Secretary read out a statement of financial implications of the draft resolution (see A/C.3/60/SR.46).

94. At the same meeting, the representative of Norway orally revised the draft resolution as follows:

(a) In the third preambular paragraph, the words "including in long-term displacement situations" were inserted after the words "displaced persons";

(b) In the fifth preambular paragraph, the words "inter alia, for long-term displacement situations" after the words "durable solutions" were deleted.

95. Also at the 46th meeting, the representative of Azerbaijan withdrew document A/C.3/60/L.71 (see A/C.3/60/SR.46).

96. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/60/L.56/Rev.2, as orally revised, without a vote (see para. 102, draft resolution XIX).

V. Draft resolution A/C.3/60/L.57 and Rev.1

97. At the 40th meeting, on 15 November, the representative of Mexico, on behalf of Azerbaijan, Brazil, Chile, Colombia, Ecuador, Egypt, El Salvador, the Gambia, Guatemala, Honduras, Indonesia, Kyrgyzstan, Mali, Mexico, Paraguay, Peru, the Philippines, Sri Lanka and Uruguay, introduced a draft resolution entitled "Protection of migrants" (A/C.3/60/L.57). Subsequently, Bolivia, Burkina Faso, Cuba, Ethiopia, Fiji, Ghana, Haiti, Kenya, Nicaragua, Nigeria and Senegal joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Reaffirming* the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

"*Recalling* its resolution 59/194 of 20 December 2004, taking note of Commission on Human Rights resolution 2005/47 of 19 April 2005, and recalling its resolution 40/144 of 13 December 1985, by which it adopted the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live,

"*Considering* that every State party to the International Covenant on Civil and Political Rights must ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant, and that every State party to the International Covenant on Economic, Social and Cultural Rights has undertaken to guarantee the exercise of all rights enunciated in that Covenant without discrimination of any kind, including, in particular, on the basis of national origin,

"*Reaffirming* the provisions concerning migrants adopted by the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and expressing its satisfaction at the important recommendations made for the development of international and national strategies for the protection of migrants and for the design of migration policies that fully respect the human rights of migrants,

"*Recalling* the renewed commitment made in the United Nations Millennium Declaration and at the 2005 World Summit to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in all societies and to promote greater harmony and tolerance,

"*Recalling also* advisory opinions OC 16/99 of 1 October 1999 and OC 18/03 of 17 September 2003, issued by the Inter-American Court of Human Rights, on the Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law and on the Juridical Condition and Rights of the Undocumented Migrants, respectively,

"*Taking note* of the Judgment of the International Court of Justice of 31 March 2004 in the case concerning *Avena and Other Mexican Nationals*, and recalling the obligations of States reaffirmed therein,

"*Encouraged* by the increasing interest of the international community in the effective and full protection of the human rights of all migrants, and underlining the need to make further efforts to ensure respect for the human rights and fundamental freedoms of all migrants,

"*Aware* of the increasing number of migrants worldwide, and bearing in mind the situation of vulnerability in which migrants and their families frequently find themselves, owing, inter alia, to their absence from their States of origin and to the difficulties they encounter because of discrimination, differences of language, custom and culture, as well as the economic and social difficulties and obstacles to the return to their States of origin, of migrants, especially those who are non-documented or in an irregular migratory situation,

"*Emphasizing* the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy and take place in a context of new security concerns,

"*Bearing in mind* that policies and initiatives on the issue of migration, including those that refer to the orderly management of migration, should promote holistic approaches that take into account the causes and consequences of the phenomenon, as well as the full respect of human rights and fundamental freedoms of migrants,

"*Concerned* at the large and growing number of migrants, especially women and children, who attempt to cross international borders without the required travel documents, which places these migrants in a particularly

vulnerable situation, and recognizing the obligation of States to respect the human rights of these migrants,

"*Deeply concerned* at the manifestations of violence, racism, racial discrimination, xenophobia and other forms of intolerance and inhuman and degrading treatment against migrants, especially women and children, in different parts of the world,

"*Concerned* that the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance has indicated the appearance of new forms of discrimination targeting migrants, among other groups,

"*Noting with interest* the joint statement by United Nations Special Rapporteurs, Special Representatives, Independent Experts and Chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme at their eleventh annual meeting, in which they expressed their strong concern regarding the continued deterioration in the situation and the denial of the human rights of migrants, in particular current attempts to institutionalize discrimination against and exclusion of migrants,

"*Highlighting* the importance of creating conditions that favour greater harmony, tolerance and respect between migrants and the rest of society in the countries in which they find themselves in order to eliminate manifestations of racism and xenophobia against migrants and members of their families,

"*Recognizing* the positive and diverse contributions that migrants make to host and origin societies and the efforts that some host countries undertake to integrate migrants and their families,

"*Recognizing also* the increasing participation of women in international migration movements,

"*Welcoming* the work of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families,

"*Noting with appreciation* the work done by the International Labour Organization in the field of the rights of migrant workers,

"*Resolved* to ensure respect for the human rights and fundamental freedoms of all migrants,

"1. *Strongly condemns* the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, and urges States effectively to apply the existing laws when xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts, and calls upon States to implement fully the commitments and recommendations relating to the promotion and protection of human rights of migrants contained in the Durban Declaration and Programme of Action through, inter alia, the adoption of national plans of action, as recommended by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

"2. *Also strongly condemns* all forms of racial discrimination and xenophobia related to access to employment, vocational training, housing, schooling, health services and social services, as well as services intended for use by the public;

"3. *Welcomes* the active role played by governmental and non-governmental organizations in combating racism and xenophobia and in assisting victims of racist acts, including migrant victims;

"4. *Calls upon* all States to consider reviewing and, where necessary, revising immigration policies with a view to eliminating all discriminatory practices against migrants and their families and adopting effective action to create conditions that foster greater harmony and tolerance within societies, and to provide specialized training for government policymaking, law enforcement, migration and other concerned officials, including in cooperation with non-governmental organizations and civil society;

"5. *Requests* States effectively to promote and protect the human rights and fundamental freedoms of all migrants, especially those of women and children, regardless of their immigration status, in conformity with the Universal Declaration of Human Rights and the international instruments to which they are party, which may include the International Covenants on Human Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and other relevant human rights instruments, norms and standards;

"6. *Requests* all States, international organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global character of the migratory phenomenon and to give the necessary relevance to international, regional and bilateral cooperation in this field, with a view to addressing, in a comprehensive manner, its causes and consequences and granting priority to the protection of human rights of migrants;

"7. *Welcomes* the increasing number of signatures and ratifications or accessions to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and calls upon States that have not done so to consider urgently signing and ratifying or acceding to the Convention;

"8. *Encourages* States parties to implement fully the United Nations Convention against Transnational Organized Crime and the two additional protocols thereto, namely, the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and urges States that have not done so to consider ratifying them;

"9. *Reaffirms emphatically* the duty of States parties to ensure full respect for and observance of the Vienna Convention on Consular Relations of 1963, in particular with regard to the right of all foreign nationals, regardless of their immigration status, to communicate with a consular official of the sending State in the case of arrest, imprisonment, custody or detention, and the obligation of the receiving State to inform without delay the foreign national of his or her rights under the Convention;

"10. *Expresses concern* about the legislation and the measures adopted by some States that restrict the human rights and fundamental freedoms of migrants;

"11. *Welcomes* immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family reunification and promote a harmonious and tolerant environment, and encourages States to consider the possibility of adopting these types of programmes;

"12. *Calls upon* States to facilitate family reunification in an expeditious and effective manner, with due regard to applicable laws, as such reunification has a positive effect on the integration of migrants;

"13. *Encourages* all States to integrate a gender perspective in developing international migration policies and programmes in order to adopt the necessary measures to better protect women and girls against dangers and abuse during migration and to foster their opportunities to contribute to their societies of origin and destination;

"14. *Calls upon* States to protect and promote all human rights of migrant children, given their vulnerability, in particular unaccompanied migrant children, ensuring that the best interests of the children are a primary consideration, underlines the importance of reuniting them with their parents, when possible, and encourages the relevant United Nations bodies, within the framework of their respective mandates, to pay special attention to the conditions of migrant children in all States and, where necessary, to put forward recommendations for strengthening their protection, especially against sexual abuse, sexual exploitation, threat or use of force or other forms of coercion, including coercion into begging and drug dealing, in particular by national or transnational organized crime groups;

"15. *Encourages* States of origin to promote and protect the human rights of those families of migrant workers that remain in the countries of origin, paying particular attention to children and adolescents whose parents have emigrated, and encourages international organizations to consider supporting States in this regard;

"16. *Requests* all States, in conformity with national legislation and applicable international legal instruments to which they are party, firmly to prosecute violations of labour law with regard to the conditions of work of migrant workers, including those related to, inter alia, their remuneration and the conditions of health, safety at work and the right to freedom of association;

"17. *Encourages* all States to remove obstacles that may prevent the safe, unrestricted and expeditious transfer of earnings, assets and pensions of

migrants to their country of origin or to any other countries, in conformity with applicable legislation, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

"18. *Calls upon* States to observe national legislation and applicable international legal instruments to which they are party when enacting national security measures in order to respect the human rights of migrants;

"19. *Urges* all States to adopt effective measures to put an end to the arbitrary arrest and detention of migrants and to take actions to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups;

"20. *Also urges* all States to promote and adopt effective measures to enforce their immigration laws and border controls only by means of duly authorized and trained government officials and to prevent private persons or groups from carrying out conduct reserved for such government officials, as well as to prosecute and punish those violations of the law that may result from such conduct;

"21. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants and their families respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants and their families, inter alia, arbitrary detention, torture and violations of the right to life, including extrajudicial executions during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

"22. *Encourages* States that have not yet done so to enact domestic legislation and to take further effective measures to combat and prosecute international trafficking in and smuggling of migrants, recognizing that these crimes may endanger the lives of migrants or subject them to harm, servitude or exploitation, which may include debt bondage, slavery and sexual exploitation or forced labour, and also encourages States to strengthen international cooperation to combat such trafficking and smuggling;

"23. *Also encourages* States, in cooperation with non-governmental organizations, to undertake information campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, so as to enable everyone, in particular women, to make informed decisions and to prevent them from becoming victims of trafficking and utilizing dangerous means of access that put their lives and physical integrity at risk;

"24. *Encourages* States to consider participating in international and regional dialogues on migration that include countries of origin and destination, as well as countries of transit, and invites them to consider negotiating bilateral and regional agreements on migrant workers within the framework of applicable human rights law and designing and implementing programmes with States of other regions to protect the rights of migrants;

"25. *Requests* Member States, the United Nations system, international organizations, civil society and all relevant stakeholders, especially the United Nations High Commissioner for Human Rights and her Office, as well as the Special Rapporteur of the Commission on Human Rights on the human rights of migrants, to ensure that the perspective of human rights of migrants is included as a priority issue in the ongoing analysis on migration and development within the United Nations system, including, in particular, at the high-level dialogue that will be held during the sixty-first session of the General Assembly, pursuant to resolution 58/208 of 23 December 2003;

"26. *Calls upon* States, the United Nations system and intergovernmental and non-governmental organizations to observe, on 18 December of each year, International Migrants Day, proclaimed by the General Assembly, through, inter alia, the dissemination of information on the human rights and fundamental freedoms of migrants and on their economic, social and cultural contributions to their host and home countries, the sharing of experience and the adoption of measures to ensure their protection, and to promote greater harmony between migrants and the societies in which they live;

"27. *Welcomes* the renewal of the mandate of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants for a period of three years and the appointment of the new Special Rapporteur, as well as the interim report submitted by him to the General Assembly, including the proposed methods of work for the fulfilment of his mandate;

"28. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all information requested and to respond appropriately and expeditiously to his urgent appeals and to give serious consideration to his requests to visit their countries, and welcomes in this regard the standing invitations extended by some Member States to all special procedures, including the Special Rapporteur;

"29. *Requests* all relevant mechanisms to cooperate with the Special Rapporteur;

"30. *Requests* the Secretary-General to give the Special Rapporteur all the human and financial assistance necessary for the fulfilment of his mandate;

"31. *Takes note with appreciation* of the report of the Secretary-General, and calls upon Member States and all relevant stakeholders to consider the implementation of the recommendations contained therein;

"32. *Decides* to examine the question further at its sixty-first session under the sub-item."

98. At its 48th meeting, on 23 November, the Committee had before it a revised draft resolution submitted by the sponsors of draft resolution A/C.3/60/L.57 and Argentina, Armenia, Azerbaijan, Bangladesh, Belize, Cape Verde, Costa Rica, Egypt, Honduras, Indonesia, Kyrgyzstan, Mauritius, Morocco, Paraguay, Tajikistan, Timor-Leste, Turkey and Uruguay (A/C.3/60/L.57/Rev.1). Subsequently, the Central African Republic, Côte d'Ivoire, the Niger, Saint Lucia, Saint Vincent and the Grenadines and the Sudan joined in sponsoring the draft resolution.

99. At the same meeting, the Secretary read out a statement of financial provisions relating to the draft resolution.

100. Also at the 48th meeting, the representative of Mexico orally revised the draft resolution by replacing operative paragraph 20, which read:

> "20. *Also urges* all States to promote and adopt effective measures to enforce their immigration laws and border controls only by means of duly authorized and trained government officials and to prevent private persons or groups from carrying out conduct reserved for such government officials, as well as to prosecute and punish those violations of the law that may result from such conduct",

by the following:

> "20. *Also urges* all States to employ duly authorized and trained government officials to enforce their immigration laws and border controls and to take appropriate and effective measures to deter and prevent private persons or groups from violating criminal and immigration laws relating to border enforcement and from wrongfully undertaking actions reserved to government officials, including by prosecuting those violations of the law that may result from such actions".

101. At the same meeting, the Committee adopted draft resolution A/C.3/60/L.57/Rev.1, as orally revised, without a vote (see para. 102, draft resolution XX).

III. Recommendations of the Third Committee

102. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Combating defamation of religions

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling also the relevant resolutions of the Commission on Human Rights in this regard,

Recalling further the United Nations Millennium Declaration adopted by the General Assembly on 8 September 2000,[1] welcoming the resolve expressed in the Declaration to take measures to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies, and looking forward to its effective implementation at all levels, including in the context of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001,[2]

Recalling the proclamation of the Global Agenda for Dialogue among Civilizations,[3] and inviting States, the organizations and bodies of the United Nations system, within existing resources, other international and regional organizations and civil societies to contribute to the implementation of the Programme of Action contained in the Global Agenda,

Welcoming the progress achieved in the follow-up to the Durban Declaration and Programme of Action,

Noting with regret the cancellation of the meeting entitled "Civilization and harmony: values and mechanisms of the global order", which was to be held in Turkey in 2004 as a follow-up to the Organization of the Islamic Conference-European Union Joint Forum on Civilizations and Harmony: the Political Dimension, held in Istanbul on 12 and 13 February 2002, and underscoring that such initiatives to deepen dialogue and reinforce understanding among the two biggest groups of nations of Eurasia and Africa will be continued,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Convinced that religious and cultural diversity in a globalizing world needs to be used as a vehicle for creativity, dynamism and promoting social justice, tolerance

[1] See resolution 55/2.

[2] See A/CONF.189/12 and Corr.1, chap. I.

[3] Resolution 56/3.

and understanding, as well as international peace and security, and not as a rationale for a new ideological and political confrontation,

Recognizing the valuable contributions of all religions to modern civilization and the contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

Reaffirming that cultural diversity is a cherished asset for the advancement and welfare of humanity at large and should be valued, enjoyed, genuinely accepted and embraced as a permanent feature that enriches our societies,

Emphasizing that States, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance and freedom of religion and belief, in particular through education that teaches tolerance and respect for religion and belief,

Alarmed at the continuing negative impact of the events of 11 September 2001 on Muslim minorities and communities in some non-Muslim countries, the negative projection of Islam in the media and the introduction and enforcement of laws that specifically discriminate against and target Muslims,

Alarmed also at the serious instances of intolerance, discrimination and acts of violence based on religion or belief, intimidation and coercion motivated by extremism, religious or otherwise, occurring in many parts of the world and threatening the enjoyment of human rights and fundamental freedoms,

Noting with concern that defamation of religions is among the causes of social disharmony and leads to violations of human rights,

Noting with deep concern the increasing trend in recent years of statements attacking religions, Islam and Muslims in particular, especially in human rights forums,

1. *Expresses deep concern* at negative stereotyping of religions and manifestations of intolerance and discrimination in matters of religion or belief still in evidence in some regions of the world;

2. *Strongly deplores* physical attacks and assaults on businesses, cultural centres and places of worship of all religions as well as targeting of religious symbols;

3. *Notes with deep concern* the intensification of the campaign of defamation of religions and the ethnic and religious profiling of Muslim minorities in the aftermath of the tragic events of 11 September 2001;

4. *Expresses its deep concern* that Islam is frequently and wrongly associated with human rights violations and terrorism;

5. *Also expresses its deep concern* at programmes and agendas pursued by extremist organizations and groups aimed at the defamation of religions, in particular when supported by Governments;

6. *Deplores* the use of the print, audio-visual and electronic media, including the Internet, and any other means to incite acts of violence, xenophobia or related intolerance and discrimination towards Islam or any other religion;

7. *Recognizes* that in the context of the fight against terrorism and the reaction to counter-terrorism measures, defamation of religions becomes an aggravating factor that contributes to the denial of fundamental rights and freedoms of target groups, as well as their economic and social exclusion;

8. *Stresses* the need to effectively combat defamation of all religions, Islam and Muslims in particular, especially in human rights forums;

9. *Urges* States to take resolute action to prohibit the dissemination through political institutions and organizations of racist and xenophobic ideas and material aimed at any religion or its followers that constitute incitement to discrimination, hostility or violence;

10. *Also urges* States to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from defamation of religions, to take all possible measures to promote tolerance and respect for all religions and their value systems and to complement legal systems with intellectual and moral strategies to combat religious hatred and intolerance;

11. *Urges* all States to ensure that all public officials, including members of law enforcement bodies, the military, civil servants and educators, in the course of their official duties, respect different religions and beliefs and do not discriminate on the grounds of religion or belief, and that necessary and appropriate education or training is provided;

12. *Underscores* the need to combat defamation of religions by strategizing and harmonizing actions at local, national, regional and international levels through education and awareness-raising;

13. *Urges* States to ensure equal access to education for all, in law and in practice, including access to free primary education for all children, both girls and boys, and access for adults to lifelong learning and education based on respect for human rights, diversity and tolerance, without discrimination of any kind, and to refrain from any legal or other measures leading to racial segregation in access to schooling;

14. *Calls upon* the international community to initiate a global dialogue to promote a culture of tolerance and peace based on respect for human rights and religious diversity, and urges States, non-governmental organizations, religious bodies and the print and electronic media to support and promote such a dialogue;

15. *Calls upon* the United Nations High Commissioner for Human Rights to promote and include human rights aspects in the dialogue among civilizations, inter alia, through:

(a) Integrating them into topical seminars and special debates on the positive contributions of cultures, as well as religious and cultural diversity, including through educational programmes, particularly the World Programme for Human Rights Education proclaimed on 10 December 2004;[4]

(b) Collaboration by the Office of the United Nations High Commissioner for Human Rights with other relevant international organizations in holding joint

[4] See resolution 59/113 A.

conferences designed to encourage this dialogue and promote understanding of the universality of human rights and their implementation at various levels;

16. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixty-first session.

Draft resolution II
Subregional Centre for Human Rights and Democracy in Central Africa

The General Assembly,

Recalling its resolution 55/105 of 4 December 2000 concerning regional arrangements for the promotion and protection of human rights,

Recalling also its resolution 59/183 of 20 December 2004 on the Subregional Centre for Human Rights and Democracy in Central Africa,

Recalling further its resolutions 55/34 B of 20 November 2000, 55/233 of 23 December 2000, section III of 55/234 of 23 December 2000 and 58/176 of 22 December 2003,

Recalling that the World Conference on Human Rights recommended that more resources be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,[1]

Recalling also the report of the United Nations High Commissioner for Human Rights,[2]

Taking note of the holding of the twenty-second ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa in Brazzaville from 14 to 18 March 2005,[3]

Taking note also of the report of the Secretary-General on the Centre,[4]

Welcoming the 2005 World Summit Outcome,[5] in particular the decision confirmed therein to double the regular budget of the Office of the United Nations High Commissioner for Human Rights over the next five years,

1. *Welcomes* the activities of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaounde;

2. *Notes with satisfaction* the support provided for the establishment of the Centre by the host country;

3. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide additional funds and human resources to enable the Subregional Centre to respond positively and effectively to the growing needs in the promotion and protection of human rights and in developing a culture of democracy in the Central African subregion;

4. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution.

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[1] See A/CONF.157/24 (Part I), chap. III.

[2] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 36*, addendum (A/56/36/Add.1).

[3] A/59/769-S/2005/212, annex.

[4] A/60/353.

[5] Resolution 60/1.

Draft resolution III
Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, expressing, in particular, the need to achieve international cooperation in promoting, and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2]

Recalling also the International Covenant on Civil and Political Rights[3] and the International Covenant on Economic, Social and Cultural Rights,[3]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[4] and the outcome documents of the twenty-third[5] and twenty-fourth[6] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 59/184 of 20 December 2004,

Recalling further Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[7]

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights,

Reaffirming the affirmation of the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[8] to promote fair globalization and the

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See resolution 2200 A (XXI), annex.
[4] See resolution 55/2.
[5] Resolution S-23/2, annex, and resolution S-23/3, annex.
[6] Resolution S-24/2, annex.
[7] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23), chap. II, sect. A.
[8] See resolution 60/1.

development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware that the risk of a global monoculture poses more of a threat if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination at both the national and international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights; its immediate alleviation and eventual elimination must remain a high priority for the international community,

Strongly reiterating the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit that are described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication,

Deeply concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies, and

international obligation and commitments are imperative for an enabling environment for development and an inclusive and equitable globalization;

3. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

4. *Reaffirms also* the commitment to create an environment at both the national and the global levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

5. *Recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

6. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[9] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

7. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

8. *Recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

9. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

10. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

11. *Affirms also* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

12. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights.

[9] E/CN.4/2002/54.

13. *Takes note* of the report of the Secretary-General,[10] and requests him to seek further the views of Member States and relevant agencies of the United Nations system and to submit a substantive report on this subject to the General Assembly at its sixty-first session.

[10] A/60/301 and Add.1.

Draft resolution IV
Establishment of a United Nations human rights training and documentation centre for South-West Asia and the Arab region

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[1]

Recalling the Vienna Declaration and Programme of Action of 1993,[2] which reiterated the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

Recalling also its resolutions 32/127 of 16 December 1977, 51/102 of 12 December 1996 and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling further Commission on Human Rights resolution 1993/51 of 9 March 1993[3] and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling the report of the Secretary-General on regional arrangements for the promotion and protection of human rights,[4]

Reaffirming it endorsement of the Vienna Declaration and Programme of Action of 1993, the universality, indivisibility, interdependence and interrelatedness of all human rights, economic, civil, cultural, political and social, including the right to development,

Reaffirming also that regional cooperation plays a fundamental role in promoting and protecting human rights and should reinforce universal human rights, as contained in international human rights instruments, and their protection,

Committed to enhancing subregional, regional and international cooperation to promote universal respect, and observance of, human rights and fundamental freedoms, in conformity with international obligations,

Convinced that cooperation between the United Nations and regional initiatives in the field of human rights continues to be both substantive and supportive and that possibilities exist for increased cooperation,

Recalling its resolutions 49/184 of 23 December 1994, proclaiming the United Nations Decade for Human Rights Education (1995-2004), and 59/113 of 10 December 2004, proclaiming the World Programme for Human Rights Education to begin on 1 January 2005, and Commission on Human Rights resolutions 1993/56

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[1] Resolution 217 A (III).

[2] A/CONF.157/24 (Part I), chap. III.

[3] See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[4] A/59/323.

of 9 March 1993[5] on education and human rights, and 2003/70 of 25 April 2003,[6] on the United Nations Decade for Human Rights Education,

Recognizing that human rights education can play a crucial role in enhancing respect for human rights and fundamental freedoms and can contribute to the promotion of human rights, the achievement of a culture of peace, in particular the teaching of the practice of non-violence and respect for the rule of law,

Noting the endorsement and the support expressed by the Council of the League of Arab States and the member States of the Gulf Cooperation Council and in the Brasilia Declaration adopted at the South American and Arab Countries Summit[7] for the initiative of the State of Qatar to host a United Nations centre for human rights for South-West Asia and the Arab region,

Noting also Commission on Human Rights resolutions 2005/71 and 2005/73 of 20 April 2005[8] welcoming the offer by the Government of Qatar to host a United Nations centre for human rights in South-West Asia and the Arab region,

Noting further the support expressed by the thirteenth Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held in Beijing from 30 August to 2 September 2005, for the initiative of the State of Qatar to host a United Nations centre for human rights for South-West Asia and the Arab region,

Mindful of the vastness of and the diversity within South-West Asia and the Arab region,

1. *Takes note with satisfaction* of the continuing cooperation and assistance of the Office of the United Nations High Commissioner for Human Rights in the further strengthening of the existing regional arrangements and regional machineries for the promotion and protection of human rights, in particular through technical cooperation, which is aimed at national capacity-building, public information and education, with a view to exchanging information and experience in the field of human rights;

2. *Welcomes* the initiative of the Government of Qatar to host a United Nations human rights training and documentation centre for South-West Asia and the Arab region, which will be under the supervision of the Office of the High Commissioner, with the mandate to undertake training and documentation activities according to international human rights standards and to support such efforts within the region by Governments, United Nations agencies and programmes, national human rights institutions and non-governmental organizations;

3. *Requests* the Secretary-General and the Office of the High Commissioner to give their support to the establishment of a United Nations human rights training and documentation centre for South-West Asia and the Arab region, to conclude an agreement with the host country regarding its establishment and to make available resources for the establishment of the centre;

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[5] See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr.2, 4 and 5), chap. II, sect. A.

[6] Ibid., *2003, Supplement No. 3* (E/2003/23), chap. II.A.

[7] A/59/818, annex.

[8] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23), chap. II.B.

4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution;

5. *Decides* to consider this question further at its sixty-first session.

Draft resolution V
National institutions for the promotion and protection of human rights

The General Assembly,

Recalling its resolutions and those of the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Convinced of the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played an important role and should continue to play a more important role in assisting the development of national institutions,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[1] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

Recalling also the Beijing Declaration and Platform for Action,[2] in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with same emphasis,

Bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds, and that all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Recalling the programme of action adopted by national institutions, at their meeting in Vienna in June 1993 during the World Conference on Human Rights,[3] for the promotion and protection of human rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

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[1] A/CONF.157/24 (Part I), chap. III.

[2] *Report of the Fourth World Conference on Women: Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[3] See A/CONF.157/NI/6.

Noting the valuable role played and contributions made by national institutions in United Nations meetings dealing with human rights and the importance of their continued appropriate participation,

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions and between national human rights institutions and other regional human rights forums,

Noting with appreciation the existence of the regional human rights networks in Europe, the continuing work of the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia Pacific Forum of National Human Rights Institutions and the Coordinating Committee of African National Human Rights Institutions,

Welcoming the strengthening of international cooperation among national human rights institutions, including through the International Coordinating Committee of National Institutions,

1. *Welcomes* the report of the Secretary-General;[4]

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in keeping with the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles"), contained in the annex to resolution 48/134 of 20 December 1993;

3. *Reiterates* the continued importance of the Paris Principles, recognizes the value of further strengthening their application, where appropriate, and encourages States, national institutions and other interested parties to consider ways to achieve this;

4. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[1] it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

5. *Also recognizes* that national institutions have a crucial role to play in promoting and ensuring the indivisibility and interdependence of all human rights, and calls upon States to ensure that all human rights are appropriately reflected in the mandate of their national human rights institutions when established;

6. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

7. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

8. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the

[4] A/60/299

Vienna Declaration and Programme of Action and relevant international instruments;

9. *Notes with satisfaction* the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

10. *Reaffirms* the role of national institutions, where they exist, as appropriate agencies, inter alia, for the dissemination of human rights materials and other public information activities, including those of the United Nations;

11. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights;

12. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for that purpose;

13. *Welcomes* the establishment of a national institutions website as an important vehicle for the delivery of information to national institutions as also the launch of a database of comparative analysis of procedures and methods of complaint-handling by national human rights institutions;

14. *Notes with appreciation* the increasingly active and important role of the International Coordinating Committee of National Institutions, in close cooperation with the Office of the United Nations High Commissioner for Human Rights, in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

15. *Also notes with appreciation* the holding of regular meetings of the International Coordinating Committee of National Institutions and the arrangements for the participation of national human rights institutions in the annual sessions of the Commission on Human Rights;

16. *Requests* the Secretary-General to continue to provide the necessary assistance for holding meetings of the International Coordinating Committee of National Institutions during the sessions of the Commission on Human Rights, in cooperation with the Office of the United Nations High Commissioner for Human Rights;

17. *Welcomes* the continuation of the practice of national institutions convening regional meetings in some regions, and its initiation in others, and encourages national institutions, in cooperation with the United Nations High Commissioner for Human Rights, to organize similar events with Governments and non-governmental organizations in their own regions;

18. *Requests* the Secretary-General to continue to provide, including from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for holding international and regional meetings of national institutions;

19. *Recognizes* the important and constructive role that civil society can play, in cooperation with national institutions, for better promotion and protection of human rights;

20. *Expresses its appreciation* to those Governments that have contributed additional resources for the purpose of the establishment and strengthening of national human rights institutions;

21. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national institutions;

22. *Encourages* all United Nations entities, funds and agencies to work in close cooperation with national institutions in the promotion and protection of human rights, and in this regard welcomes efforts made through the action 2 initiative of the Secretary-General;

23. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution.

Draft resolution VI
Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 59/188 of 20 December 2004, and Commission on Human Rights resolution 2005/14 of 14 April 2005,[1]

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General,[2] submitted pursuant to Commission on Human Rights resolution 1999/21 of 23 April 1999,[3] and the reports of the Secretary-General on the implementation of resolutions 52/120 of 12 December 1997[4] and 55/110 of 4 December 2000,[5]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[6]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[7] the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[8] the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[9] and their five-year reviews,

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[1] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23), chap. II, sect. A.

[2] E/CN.4/2000/46 and Add.1.

[3] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[4] A/53/293 and Add.1.

[5] A/56/207 and Add.1.

[6] See A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

[7] *Report of the World Summit on Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[8] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[9] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

Expressing its concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing its grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women and children, including adolescents,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Commission on Human Rights, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[10]

1. *Urges* all States to refrain from adopting or implementing any unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[11] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Also urges* all States to take steps to avoid and to refrain from adopting any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for their health and well-being and their right to food, medical care and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

3. *Invites* all States to consider adopting administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

[10] Resolution 41/128, annex.

[11] Resolution 217 A (III).

4. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

5. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest possible time;

6. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

7. *Urges* the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including the enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

8. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

9. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its sixty-first session, highlighting the practical and preventive measures in this respect;

10. *Decides* to examine the question on a priority basis at its sixty-first session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

Draft resolution VII
Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[1] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000[2] and its resolution 59/187 of 20 December 2004 and taking note of Commission on Human Rights resolution 2005/54 of 20 April 2005 on the enhancement of international cooperation in the field of human rights,[3]

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and its role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all the activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[4]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

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[1] A/CONF.157/24 (Part I), chap. III.

[2] See resolution 55/2.

[3] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23), chap. II, sect. A.

[4] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Calls upon* Member States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

9. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

10. *Decides* to continue its consideration of the question at its sixty-first session.

Draft resolution VIII
The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom, as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration on Human Rights[1] as well as the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2]

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing that the Vienna Declaration and Programme of Action[3] reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights, and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[4]

Reaffirming also the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Recalling the framework modalities agreed at the General Council meeting of the World Trade Organization in Geneva on 1 August 2004 in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,[5]

Recalling also the outcome of the eleventh session of the United Nations Conference on Trade and Development, held at São Paulo, Brazil, from 13 to 18 June 2004, on the theme "Enhancing the coherence between national development strategies and global economic processes towards economic growth and development, particularly of developing countries",[6]

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] A/CONF.157/24 (Part I), chap. III.
[4] See resolution 55/2.
[5] See World Trade Organization, document WT/L/579. Available from http://docsonline.wto.org.
[6] See TD/412.

Recalling further all its previous resolutions and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998,[7] on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Recalling the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur from 20 to 25 February 2003, and the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, held at Durban, South Africa, from 17 to 19 August 2004,

Reiterating its continuing support for the New Partnership for Africa's Development[8] as a development framework for Africa,

Recognizing that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the millennium development goal of halving, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

1. *Endorses* the agreed conclusions and recommendations adopted by the Working Group on the Right to Development at its sixth session,[9] and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors;

2. *Welcomes* the convening of the first meeting of the high-level task force on the implementation of the right to development, held at Geneva from 13 to 17 December 2004, and expresses its appreciation to the task force for the work it has undertaken;

3. *Notes with appreciation* that the high-level task force, at its second meeting, examined Millennium Development Goal 8 on a global partnership for development and suggested criteria for its periodic evaluation with the aim of improving the effectiveness of global partnership with regard to the realization of the right to development;

4. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session,[10] congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

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[7] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[8] A/57/304, annex.

[9] See E/CN.4/2005/25, sect. III.

[10] E/CN.4/2002/28/Rev.1, sect. VIII.A.

5. *Notes with appreciation* that the Subcommission on the Promotion and Protection of Human Rights decided at its fifty-seventh session to submit the concept document establishing options and their feasibility for the implementation of the right to development to the Commission on Human Rights at its sixty-second session, calls in this regard upon the Commission to give due consideration to the options contained therein, and requests the Secretary-General to report on progress in this regard to the General Assembly at its sixty-first session;

6. *Takes note* of the convening and outcome of the third Social Forum held at Geneva on 21 and 22 July 2005 on the theme "Poverty and economic growth: challenges to human rights"[11] and the strong support extended to it by the Subcommission on the Promotion and Protection of Human Rights, and invites Member States and all other stakeholders to participate actively in its subsequent sessions;

7. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

8. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action,[1] which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

9. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

10. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development as well as their commitment to cooperate with each other to that end;

11. *Also reaffirms* the need for an international environment that is conducive to the realization of the right to development;

12. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon States to institute the measures required for the implementation of the right to development as a fundamental human right;

13. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and the international levels;

14. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and

[11] E/CN.4/Sub.2/2005/21.

measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

15. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

16. *Underlines* the fact that the international community is far from meeting the target set in the Millennium Declaration of halving the number of people living in poverty by 2015, reaffirms the commitment made to meet that target, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

17. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

18. *Recognizes* the need to address market access for developing countries, including in agriculture, services and non-agricultural products, in particular those of interest to developing countries;

19. *Calls for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation; implementation of commitments on implementation-related issues and concerns; review of special and differential-treatment provisions, with a view to strengthening them and making them more precise, effective and operational; avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

20. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses, in this regard, the need for good governance and broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

21. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

22. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, cultural, economic, political and social activities of the community and the promotion of the right to development;

23. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes, and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

24. *Also stresses* that further and additional measures must be taken at the national and international levels to fight HIV/AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

25. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

26. *Emphasizes* the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery consistent with the principles of the United Nations Convention against Corruption,[12] particularly chapter V, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify as soon as possible, and States parties to implement effectively, the United Nations Convention against Corruption;

27. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including ensuring effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary General to provide the Office of the High Commissioner with the necessary resources;

28. *Reaffirms* the request to the High Commissioner, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect those activities in detail in her report to the Commission on Human Rights at its sixty-second session;

29. *Calls upon* the United Nations agencies, funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

[12] Resolution 58/4, annex.

30. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

31. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixty-first session and an interim report to the Commission on Human Rights at its sixty-second session on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the chairperson of the Working Group on the Right to Development to present a verbal update to the General Assembly at its sixty-first session.

Draft resolution IX
Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Recalling that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

Acknowledging the important contribution of measures at all levels against terrorism, consistent with international law, in particular international human rights law and refugee and humanitarian law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights, as well as the need to continue this fight, including through international cooperation and the strengthening of the role of the United Nations in this respect,

Deeply deploring the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as of the violations of international refugee law and international humanitarian law,

Recognizing that the respect for human rights, the respect for democracy and the respect for the rule of law are interrelated and mutually reinforcing,

Recognizing also that all States must fully respect the non-refoulement obligations under international refugee and human rights law, while at the same time bearing in mind relevant exclusion provisions under international refugee law,

Welcoming the various initiatives to strengthen the promotion and protection of human rights in the context of counter-terrorism adopted by the United Nations and regional intergovernmental bodies, as well as by States,

Noting the declarations, statements and recommendations of a number of human rights treaty monitoring bodies and special procedures on the question of the compatibility of counter-terrorism measures with human rights obligations,

Recalling its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003 and 59/191 of 20 December 2004, Commission on Human Rights resolutions 2003/68 of 25 April 2003,[1] 2004/87 of 21 April 2004[2] and 2005/80 of 21 April 2005[3] and other relevant resolutions of the General Assembly and the Commission on Human Rights,

Recalling also its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

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[1] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[2] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[3] Ibid., *2005, Supplement No. 3* (E/2005/23 (Part I)), chap. II, sect. A.

Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,[4]

Noting the declaration on the issue of combating terrorism contained in the annex to Security Council resolution 1456 (2003) of 20 January 2003, in particular the statement that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Stressing that everyone is entitled to all the rights and freedoms recognized in the Universal Declaration of Human Rights[5] without distinction of any kind, including on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Deplores* the suffering caused by terrorism to the victims and their families, and expresses its profound solidarity with them;

3. *Reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights,[6] to respect certain rights as non-derogable in any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, and underlines the exceptional and temporary nature of any such derogations;[7]

4. *Calls upon* States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

5. *Urges* States to fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law;

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[4] See the Vienna Declaration and Programme of Action (A/CONF.157/23, sect. I, para. 17), adopted by the World Conference on Human Rights on 25 June 1993.

[5] Resolution 217 A (III).

[6] See resolution 2200 (XXI), annex.

[7] See, for example, General Comment No. 29 on states of emergency adopted by the Human Rights Committee on 24 July 2001.

6. *Welcomes* the establishment by the Commission on Human Rights in its resolution 2005/80[7] of the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;

7. *Reaffirms* that it is imperative that all States work to uphold and protect the dignity of individuals and their fundamental freedoms, as well as democratic practices and the rule of law, while countering terrorism, as stated in the report of the Secretary-General submitted pursuant to General Assembly resolution 58/187;[8]

8. *Takes note with appreciation* of the study of the United Nations High Commissioner for Human Rights submitted pursuant to resolution 58/187;[9]

9. *Encourages* States to make available to relevant national authorities the "Digest of Jurisprudence of the United Nations and Regional Organizations on the Protection of Human Rights while Countering Terrorism" and to take into account its content, and requests the High Commissioner to update and publish it periodically;

10. *Welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to strengthen the links and to continue to develop cooperation with relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur of the Commission on Human Rights on the promotion and protection of human rights and fundamental freedoms while countering terrorism and other relevant special procedures and mechanisms of the Commission, giving due regard to the promotion and protection of human rights in the ongoing work pursuant to relevant Security Council resolutions relating to terrorism;

11. *Stresses* that, while developing, as agreed at the United Nations 2005 World Summit,[10] a strategy to promote comprehensive, coordinated and consistent counter-terrorism responses, full consideration should be given throughout the process to the protection of human rights and fundamental freedoms and to the provisions of international humanitarian law and international refugee law;

12. *Requests* all relevant special procedures and mechanisms of the Commission on Human Rights, as well as the United Nations human rights treaty bodies, to cooperate within their mandates, with the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and encourages the Special Rapporteur to work closely with them to coordinate efforts, where appropriate, in order to promote a consistent approach on this subject;

13. *Encourages* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to consider the recommendations of the special procedures and mechanisms of the Commission on Human Rights and the relevant comments and views of United Nations human rights treaty bodies;

[7] E/CN.4/2005/91.

[8] A/59/428.

[9] See resolution 60/1.

14. *Takes note with appreciation* of the report of the independent expert on the protection of human rights and fundamental freedoms while countering terrorism;[11]

15. *Takes note with interest* of the report of the Secretary-General submitted pursuant to General Assembly resolution 59/191;[12]

16. *Takes note with appreciation* of the report of the Special Rapporteur submitted pursuant to Commission on Human Rights resolution 2005/80,[13] the four features emphasized of his mandate, complementarity, comprehensiveness, its proactive nature and its thematic approach, and requests the Special Rapporteur to report regularly to the General Assembly and to the Commission on Human Rights;

17. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to the Special Rapporteur's urgent appeals and providing the information requested;

18. *Requests* the High Commissioner, making use of existing mechanisms, to continue:

(a) To examine the question of the protection of human rights and fundamental freedoms while countering terrorism, taking into account reliable information from all sources;

(b) To make general recommendations concerning the obligation of States to promote and protect human rights and fundamental freedoms while taking actions to counter terrorism;

(c) To provide assistance and advice to States, upon their request, on the protection of human rights and fundamental freedoms while countering terrorism, as well as to relevant United Nations bodies;

19. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Commission on Human Rights at its sixty-second session and to the General Assembly at its sixty-first session.

[11] E/CN.4/2005/103.
[12] A/60/374.
[13] A/60/370.

Draft resolution X
Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles embodied in articles 3, 5, 8, 9 and 10 of the Universal Declaration of Human Rights[1] and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,[2] in particular article 6 of the Covenant, which states, inter alia, that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below 18 years of age, and article 10, which provides that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person,

Bearing in mind also the relevant provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[3] the International Convention on the Elimination of All Forms of Racial Discrimination,[4] in particular the right to equal treatment before tribunals and all other organs administering justice, the Convention on the Rights of the Child,[5] in particular article 37, according to which every child deprived of liberty shall be treated in a manner that takes into account the needs of persons of his or her age, and the Convention on the Elimination of All Forms of Discrimination against Women,[6] in particular the obligation to treat men and women equally in all stages of procedures in courts and tribunals,

Calling attention to the numerous international standards in the field of the administration of justice,

Convinced that the independence and impartiality of the judiciary are essential prerequisites for the protection of human rights, good governance and democracy as well as for ensuring that there is no discrimination in the administration of justice and should therefore be respected in all circumstances,

Noting the adoption by the Committee on the Elimination of Racial Discrimination of general recommendation XXXI on the prevention of racial discrimination in the administration and functioning of the criminal justice system,[7]

Emphasizing that the right to access to justice, as contained in applicable international human rights instruments, forms an important basis for strengthening the rule of law through the administration of justice,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice, in particular in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity,

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex, and resolution 44/128, annex.
[3] Resolution 39/46, annex.
[4] Resolution 2106 A (XX), annex.
[5] Resolution 44/25, annex.
[6] Resolution 34/180, annex.
[7] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 18* (A/60/18), chap. IX.

Recalling the Guidelines for Action on Children in the Criminal Justice System[8] and the establishment and subsequent meetings of the Inter-Agency Coordination Panel on Juvenile Justice,

Calling attention to the relevant provisions of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[9] and of the plans of action for its implementation and follow-up,[10]

Recalling its resolution 58/183 of 22 December 2003, as well as Commission on Human Rights resolution 2004/43 of 19 April 2004[11] and Economic and Social Council resolution 2004/28 of 21 July 2004, entitled "United Nations standards and norms in crime prevention and criminal justice",

1. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

2. *Reiterates its call* to all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the full implementation of those standards;

3. *Affirms* that States must ensure that any measure taken to combat terrorism, including in the administration of justice, complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

4. *Invites* Governments to provide for training, including anti-racist, multicultural and gender-sensitive training, in human rights in the administration of justice, including juvenile justice, to all judges, lawyers, prosecutors, social workers, immigration and police officers and other professionals concerned, including personnel deployed in international field presences;

5. *Invites* States to make use of technical assistance offered by the relevant United Nations programmes in order to strengthen national capacities and infrastructures in the field of the administration of justice;

6. *Appeals* to Governments to include in their national development plans the administration of justice as an integral part of the development process and to allocate adequate resources for the provision of legal-aid services with a view to promoting and protecting human rights, and invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

7. *Encourages* the regional commissions, the specialized agencies, United Nations institutes active in the areas of human rights and crime prevention and criminal justice, and other relevant parts of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field, and other segments of civil society, including the media, to continue to develop their activities in promoting human rights in the administration of justice;

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[8] Economic and Social Council resolution 1997/30, annex.

[9] Resolution 55/59, annex.

[10] Resolution 56/261, annex.

[11] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

8. *Invites* the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, as well as the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime, to closely coordinate their activities relating to the administration of justice;

9. *Calls upon* mechanisms of the Commission on Human Rights and its subsidiary bodies, including special rapporteurs, special representatives and working groups, to continue to give special attention to questions relating to the effective promotion and protection of human rights in the administration of justice, including juvenile justice, and to provide, where appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

10. *Calls upon* the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime to reinforce, within their respective mandates, their activities relating to national capacity-building in the field of the administration of justice, in particular in post-conflict situations and, in this context, in cooperation with the Department of Peacekeeping Operations of the Secretariat;

11. *Encourages* the Office of the High Commissioner to continue organizing training courses and other relevant activities aimed at enhancing the promotion and protection of human rights in the field of the administration of justice, and welcomes the publication of the Manual on Human Rights Training for Prison Officials;[12]

12. *Welcomes* the increased attention paid to the issue of juvenile justice by the High Commissioner and the United Nations Children's Fund, in particular through technical assistance activities, and, taking into account the fact that international cooperation to promote juvenile justice reform has become a priority within the United Nations system, encourages the further activities of the High Commissioner and the United Nations Children's Fund, within their mandates, in this regard;

13. *Encourages* the Inter-Agency Coordination Panel on Juvenile Justice to further increase cooperation among the partners involved, to develop common indicators, tools and manuals, to share information and to pool their capacities and interests in order to increase the effectiveness of programme implementation, and takes note with appreciation of the publication entitled "Protecting the rights of children in conflict with the law";[13]

14. *Welcomes* the adoption by the Economic and Social Council of the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, set out in the annex to resolution 2005/20 of 22 July 2005, and encourages all relevant actors to draw upon the Guidelines where appropriate;

15. *Encourages* the independent expert for the United Nations study on violence against children to address in his final report the prevalence of violence in the juvenile justice system;

16. *Invites* Governments, relevant international and regional bodies, national human rights institutions and non-governmental organizations to devote increased attention to the issue of women in prison, including the children of women in prison, with a view to identifying and addressing the key problems;

[12] United Nations publication, Sales No. 04.XIV.1.

[13] Available from http://www.unodc.org/pdf/criminal_justice/Protecting_children_en.pdf.

17. *Underlines* the importance of rebuilding and strengthening structures for the administration of justice and respect for the rule of law and human rights in post-conflict situations, and requests the Secretary-General to ensure system-wide coordination and coherence of programmes and activities of the relevant parts of the United Nations system, including through the proposed Peacebuilding Commission and the Rule of Law Assistance Unit, in the field of the administration of justice in post-conflict situations, including assistance provided through United Nations field presences;

18. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular through reform of the judiciary, the police and the penal system, as well as juvenile justice reform, in order to establish and maintain stable societies and the rule of law in post-conflict situations, and in this context welcomes the role of the Office of the High Commissioner in supporting the establishment and functioning of transitional justice mechanisms in post-conflict situations;

19. *Decides* to consider the question of human rights in the administration of justice at its sixty-second session under the item entitled "Human rights questions".

Draft resolution XI
Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, as well as its subsequent resolutions on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Noting that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural diversity and heritage of society, as reaffirmed in the 2005 World Summit Outcome,[1]

Concerned by the frequency and severity of disputes and conflicts concerning minorities and their often tragic consequences, and concerned also that persons belonging to minorities are particularly vulnerable to displacement,

Recognizing that the effective promotion and protection of the rights of persons belonging to minorities is a fundamental part of the promotion and protection of human rights, and acknowledging that measures in this area can also contribute significantly to conflict prevention,

Emphasizing the role that national institutions can play in early warning for problems regarding minority situations,

Emphasizing also the importance of human rights education as an effective tool to promote an inclusive society and understanding of and tolerance towards and among persons belonging to minorities,

Acknowledging that the United Nations has an important role to play regarding the protection of minorities by, inter alia, taking due account of and giving effect to the Declaration,

Noting that the Working Group on Minorities of the Subcommission on the Promotion and Protection of Human Rights held its tenth and eleventh sessions from 1 to 5 March 2004 and 30 May to 3 June 2005, respectively,

Noting with appreciation the appointment of the independent expert on minority issues by the United Nations High Commissioner for Human Rights on 29 July 2005, as requested by the Commission on Human Rights in its resolution 2005/79 of 21 April 2005,[2]

1. *Takes note* of the report of the Secretary-General;[3]

2. *Recognizes* that respect for human rights and the promotion of understanding and tolerance by Governments as well as between and among minorities are central to the promotion and protection of the rights of persons belonging to minorities;

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[1] See resolution 60/1.

[2] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23), chap. II, sect. A.

[3] A/60/333.

3. *Reaffirms* the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,[4] and draws attention to the relevant provisions of the Durban Declaration and Programme of Action,[5] including the provisions on forms of multiple discrimination;

4. *Encourages* States, in their follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to include aspects relating to minorities in their national plans of action and, in this context, to take forms of multiple discrimination fully into account;

5. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the encouragement of conditions for the promotion of their identity, the provision of adequate education and the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, without discrimination, and to apply a gender perspective while doing so;

6. *Calls upon* States to give special attention to the promotion and protection of the human rights of children belonging to minorities, taking into account that girls and boys may face different types of risks;

7. *Urges* States to take, as appropriate, all necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in accordance with the Declaration, in order to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities;

8. *Calls upon* States to take all appropriate measures to protect the cultural and religious sites of national or ethnic, religious and linguistic minorities;

9. *Calls upon* the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

10. *Calls upon* the United Nations High Commissioner for Human Rights to promote, within her mandate, the implementation of the Declaration, to continue to engage in a dialogue with Governments for that purpose and to disseminate widely the *United Nations Guide for Minorities*;

11. *Requests* the High Commissioner to continue her efforts to improve the coordination and cooperation among United Nations programmes and agencies on activities related to the promotion and protection of the rights of persons belonging to minorities and to take the work of relevant regional organizations active in the field of human rights into account in her endeavours;

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[4] Resolution 47/135, annex.

[5] See A/CONF.189/12 and Corr.1, chap. I.

12. *Welcomes* the inter-agency consultation of the High Commissioner with United Nations programmes and agencies on minority issues, and calls upon those programmes and agencies to contribute actively to this process;

13. *Encourages* intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

14. *Calls upon* the Working Group on Minorities of the Subcommission on the Promotion and Protection of Human Rights to implement fully its mandate, focusing its work on interactive dialogue with relevant non-governmental organizations and on conceptual support of, and dialogue with, the independent expert on minority issues, by recommending, on the basis of its findings, further measures for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

15. *Invites* the High Commissioner to seek voluntary contributions to facilitate the effective participation of representatives of non-governmental organizations and persons belonging to minorities, in particular those from developing countries, in minority-related activities organized by the United Nations, particularly its human rights bodies, and in doing so to give particular attention to ensuring the participation of young people and women;

16. *Decides* to continue consideration of this question at its sixty-second session under the item entitled "Human rights questions".